

THE ROSEN LAW FIRM, P.A.

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[Proposed] Lead Counsel for Plaintiffs and Class

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH S. GELMIS, INDIVIDUALLY AND ON BEHALF
OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, MELANIE
M. LUNDQUIST, GARY A. MENTESANA, ROBERT J.
BANKS, CHARLES C. BAUM, RICHARD O. BERNDT,
EDDIE C. BROWN, ROBERT S. HILLMAN, DOUGLAS A.
McGREGOR, ARTHUR S. MEHLMAN, FRED N. PRATT,
JR., and MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.

CASE No.: 08-CV-980 (RMB)

**REPLY DECLARATION OF
PHILLIP KIM IN FURTHER
SUPPORT OF LEAD PLAINTIFF
MOTION AND IN OPPOSITION
TO COMPETING MOTIONS**

CLASS ACTION

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JULES ROTHAS, Individually and on Behalf of All Others CASE NO. 08-CV-01120 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK K.
JOSEPH, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, and DAVID B. KAY,

Defendants.

-----X
-----X
ARNOLD J. ROSS, Individually and on Behalf of All Others CASE NO. 08-CV-1299 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, and
MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.

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ALEX D'ANGELO, Individually and on Behalf of All Others CASE NO. 08-CV-01331 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MICHAEL L.
FALCONE, WILLIAM S. HARRISON, EARL W. COLE,
III, MARK K. JOSEPH, and MELANIE M. LUNDQUIST,

Defendants.

-----X
NAOMI RAPHAEL, Individually and on Behalf of All Others CASE NO. 08-CV-02190 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK J.
JOSEPH, MICHAEL L. FALCONE, WILLIAM S.
HARRISON, MELANIE M. LUNQUIST, DAVID B.
KAY, CHARLES C. BAUM, EDDIE C. BROWN, ROBERT
S. HILLMAN, ARHTUR S. MEHLMAN, and FRED N.
PARATT, JR.

Defendants.

-----X
DECLARATION OF PHILLIP KIM

Phillip Kim, hereby declares under penalty of perjury:

1. I am an attorney with the Rosen Law Firm, P.A. [Proposed] Lead Counsel in this action and have personal knowledge of the facts set forth herein. I am duly admitted to practice law in the State of New York and before this Court. I make this Declaration in further support of the Motion of Plaintiffs Norman Feinberg, Robert Stark, Leonard Klorfine, Daryl Bonyor, and Alan Fetch (collectively

the “MMA Investors”) to be appointed Lead Plaintiffs, and for approval of the Rosen Law Firm, P.A. to serve as Lead Counsel.

2. Attached hereto as Exhibit 1 is a true and correct copy of transcript of the proceedings held before this Court on April 10, 2008.

3. Attached hereto as Exhibit 2 is a true and correct copy of membership materials downloaded from the FAFN website: <http://www.firstaffirmative.com>.

4. Attached hereto as Exhibit 3 is a true and correct copy of Ms. Bonyor’s amended certification.

5. Attached hereto as Exhibit 4 is a true and correct copy of a chart of Ms. Bonyor’s trades compared with the historical trading price of MMA stock. Accompanying this chart is a true and correct copy of historical pricing data of MMA stock from Bloomberg LLP.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Declaration of Robert Stark in Support of MMA Investors’ Motion for Appointment as Lead Plaintiffs.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Declaration of Leonard Klorfine in Support of MMA Investors’ Motion for Appointment as Lead Plaintiffs.

8. Attached hereto as Exhibit 7 is a true and correct copy of a letter the Rosen Law Firm sent to the Sherry Cohen, Esq. of the Departmental Disciplinary Committee, Appellate Division, First Department.

9. Attached hereto as Exhibit 8 are true and correct copies of investigative notices issued by the Kremser Group’s proposed counsel.

10. Pursuant to the Rosen Law Firm’s practice and the New York rules on attorney advertising, copies of every message board posting is submitted to Sherry Cohen, Esq. of the New York State Departmental Disciplinary Committee.

11. In my communications with Ms. Cohen regarding other internet message board postings by the firm, she informed me that once an advertisement is received by her office it is reviewed by her or her staff to determine whether an advertisement potentially violates a rule or is otherwise improper. If an advertisement potentially violates a rule or is otherwise improper, I was informed by Ms. Cohen that the Bar will contact the attorney and inform him or her to either edit or remove the advertisement. If such a request is made, the reasons are explained to the attorney.

12. I was informed by Ms. Cohen that this service is provided, for among other reasons, to assist attorneys to adjust to the new rules on attorney advertising.

13. With respect to other Yahoo! Finance message board postings similar to the one at issue here, I have discussed with Ms. Cohen the issue of whether such postings are “targeted” advertisements/solicitations that violated the New York ethics rules. She did not believe the Rosen Law Firm’s message board postings violated any ethics rules in this regard.

14. At no time, has Ms. Cohen or any other attorney on her staff, directed any attorney at the Rosen Law Firm to remove the MMA message board posting because it was an improper “targeted” advertisement/solicitation that violated New York ethics rules.

I declare under penalty of perjury that the following is true and correct.

Executed: April 28, 2008

/s/ Phillip Kim
Phillip Kim

CERTIFICATE OF SERVICE

I hereby certify that on this on the 28th day of April 2008, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Phillip Kim

EXHIBIT 1

84A3ROTC Conference

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

JOSEPH S. GELMIS, et al.,

Plaintiffs,

v.

08 Civ. 980 (RMB)

EARL W. COLE, et al.,

Defendants.

-----x

JULES ROTHAS, individually and
on behalf of all others
similarly situated; and
KREMSER GROUP,

Plaintiffs,

v.

08 Civ. 1120 (RMB)

MUNICIPAL MORTGAGE AND EQUITY,
L.L.C., et al.,

Defendants.

-----x

ARNOLD J. ROSS, individually
and on behalf of all others
similarly situated; and
KREMSER GROUP,

Plaintiffs,

v.

08 Civ. 1299 (RMB)

EARL W. COLE, III, et al.,

Defendants

-----x

ALEX D'ANGELO, individually
and on behalf of all others
similarly situated; and
KREMSER GROUP,

Plaintiffs,

v.

08 Civ. 1331 (RMB)

MUNICIPAL MORTGAGE & EQUITY,
LLC, et al.,

Defendants.

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Conference

New York, N.Y.

April 10, 2008

11:45 a.m.

Before:

HON. RICHARD M. BERMAN,

District Judge

APPEARANCES

THE ROSEN LAW FIRM

Attorneys for Plaintiff Joseph Gelmis and Movants MMA
Investors Group

BY: PHILLIP KIM

TIMOTHY BROWN

COUGHLIN STOIA GELLER RUDMAN & ROBBINS

Attorneys for Plaintiff Jules Rothas and The Yates Group

BY: DAVID A. ROSENFELD

-and-

BERGER & MONTAGUE

BY: ERIC LECHTZIN

BROWER PIVEN

Attorneys for Plaintiff The Kremser Group

BY: DAVID A.P. BROWER

LAW OFFICES OF CURTIS V. TRINKO

Attorneys for Plaintiff Judith Greenberg

BY: CURTIS V. TRINKO

SPECTOR ROSEMAN & KODROFF

Attorneys for Movant The Rawden Group

BY: DAVID FELDERMAN

-and-

LABATON SUCHAROW

BY: ANDREI RADO

WOLF HALDENSTEIN ADLER FREEMAN & HERZ

Attorneys for Plaintiffs First Affirmative and Kenneth

Slater

BY: THOMAS H. BURT

GEORGE PETERS

CLIFFORD CHANCE

Attorneys for Defendant Municipal Mortgage and Equity,
L.L.C.

BY: JAMES B. WEIDNER

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RICHARDS KIBBE & ORBE
Attorneys for Defendant Melanie Lundquist
BY: NEIL S. BINDER

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1 (In open court)

2 THE COURT: As I understand where things stand here,
3 we were in the middle of a briefing schedule for lead
4 plaintiffs and lead counsel with the initial briefs having been
5 filed on or before March 31 and opposition briefs are due
6 April 17.

7 Let me see at the outset, are there going to be
8 opposition briefs?

9 MR. ROSENFELD: Yes, your Honor.

10 MR. KIM: Yes, your Honor.

11 THE COURT: And then replies are due by April 28. So,
12 I would like in everybody's subsequent filing, and I mean
13 everybody who has filed already, whether they put it in I guess
14 in the reply if they're plaintiffs that we're talking about, I
15 would like every plaintiff to indicate who they think is the
16 lead plaintiff under the PLSRA, because I didn't think there
17 was as much room for debate in these matters, and it is only
18 the initial set of briefing. But so now that you all have seen
19 the other briefs, and I would like everybody's view as to who
20 is or should be the lead plaintiff.

21 And has anybody so far or is anybody planning such
22 that they would say so publicly to not be considered further as
23 a lead plaintiff?

24 I take that as a no. I think I must have misread. I
25 didn't read them in detail, but I must have misread some of the

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1 motions. So everybody here still thinks they are lead
2 plaintiff. Is that right?

3 MR. KIM: Yes, your Honor.

4 THE COURT: Let's hear, for example, what the loss is
5 of your client and how that makes you the lead plaintiff.

6 MR. KIM: Your Honor, my name is Phillip Kim and we
7 represent the movants MMA Investors. We have --

8 THE COURT: This is just a partial, but I'm just
9 curious so you --

10 MR. KIM: Based --

11 THE COURT: Your firm is?

12 MR. KIM: We are the Rosen Law Firm and we've moved on
13 behalf of the MMA Investors. We have claimed losses of a
14 little over a million dollars. I believe there are two movants
15 ahead of us that claim higher losses, however, we believe that
16 it will play out in the briefing that these claimed losses are
17 not compensable losses.

18 THE COURT: How do you aggregate your losses?

19 MR. KIM: We have five clients.

20 THE COURT: Yes.

21 MR. KIM: The way we aggregated the losses --

22 THE COURT: Under the law. Not the way you aggregate.
23 I know how you aggregated, you added them together. But how
24 under statute, how did you aggregate them?

25 MR. KIM: There were five clients of ours who wanted
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1 to work together.

2 THE COURT: I didn't read that anywhere in the statute
3 that there is a want-to-work-together provision that calls
4 for -- I'm serious about this. I'm dead serious. Because if
5 you submit motions, and I'm not suggesting that you are, that's
6 why I'm saying that in the next submission I expect everybody
7 to have the next submission, that they say to me and explain
8 with cases how they are the lead plaintiff. And I don't mean
9 this personally, I think it is a good example, but apart from
10 this notion of wanting to work together, I don't know how
11 legally your losses are aggregated.

12 MR. KIM: Sure. We'll address those issues. There
13 are also other aggregated groups as well.

14 THE COURT: This is a good time. So it will help me.

15 MR. KIM: Under the PSLRA contemplates that the lead
16 plaintiff can be a person or a group of persons. There is a
17 body of case law that allows the aggregation of investors who
18 even may be unrelated.

19 THE COURT: Who want to work together?

20 MR. KIM: Yes, who have no prior existing
21 relationship.

22 THE COURT: I'm not familiar with those cases.

23 MR. KIM: There are also a line of cases that say
24 that's not okay. That will be up to the Court to decide.

25 THE COURT: No, no. I don't think people are hearing
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1 me in this room. I'm saying that I want briefs that don't say
2 on the one hand and on the other hand. I want briefs that --
3 and if there is no valid legal basis for your not being lead
4 plaintiff, I suggest you say that --

5 MR. KIM: All right.

6 THE COURT: -- in your brief. I'm not looking for
7 throw it up against the wall and see what sticks. I'm looking
8 for a legal analysis. And that's why I say to you, and I'm
9 only midway through the briefing schedule. But I'm not
10 interested in wasting your time, counsel, if in fact there is
11 no viable basis for you to claim you have the lead plaintiffs.

12 Get it?

13 MR. KIM: Understood, your Honor. We believe we do.

14 THE COURT: I hope so because you made a filing to
15 that effect.

16 MR. KIM: Yes.

17 THE COURT: But I am suggesting, I don't know if
18 you're hearing me even yet, that you take a hard look at your
19 position when you come to file the reply.

20 MR. KIM: We will, your Honor. We will.

21 THE COURT: Who else, anybody else in this same
22 category? Which group do you represent?

23 MR. ROSENFELD: David Rosenfeld on behalf of the Yates
24 Group. The firm Coughlin Stoia. PSLRA does contemplate that a
25 group of plaintiffs can be appointed appropriately as lead

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1 plaintiff. The number of courts --

2 THE COURT: Those that want to work together, the same
3 theory he has?

4 MR. ROSENFELD: That's correct, your Honor. And a
5 number of courts have actually favored groups, given that it
6 provides for a diverse representation. Better chances of
7 surviving class certification and --

8 THE COURT: You have a court of appeals case from the
9 Second Circuit?

10 MR. ROSENFELD: No. The Second Circuit has not
11 addressed the issue, your Honor. But there is a split among
12 the district courts, judge specific, not only southern and
13 eastern, but judge specific, about whether or not groups of
14 lead plaintiffs are appropriate.

15 THE COURT: What does the statute provide?

16 MR. ROSENFELD: The statute is not clear. The statute
17 says group of plaintiffs. So it does give you the option to
18 allow groups of plaintiffs. And because of that, courts have
19 appointed groups of individuals who wanted to work together.
20 And a number of courts have actually required a showing that
21 these investors have spoken prior to the filing of their
22 motions and they have a plan in place to work together. We've
23 actually submitted a joint declaration of our clients to that
24 effect showing that they did have a conference call.

25 THE COURT: If you didn't aggregate, you would not be
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1 the lead plaintiff; isn't that right?

2 MR. ROSENFELD: Not necessarily, your Honor.

3 THE COURT: How would you be if you didn't aggregate?

4 MR. ROSENFELD: Aside from the actual size of the
5 financial interests, there is also --

6 THE COURT: Financial interest or is it the loss?

7 MR. ROSENFELD: Well, it is financial interest is what
8 it required for lead plaintiff. It is the movant who
9 represents --

10 THE COURT: Not the loss sustained?

11 MR. ROSENFELD: Well, there is a difference between
12 financial interest and damages.

13 THE COURT: I am not talking damages. I am talking
14 about losses sustained. You don't think that's relevant?

15 MR. ROSENFELD: Well, it depends how you calculate
16 losses.

17 THE COURT: How do you calculate them and then you get
18 to be lead plaintiff if you don't aggregate in your case?

19 MR. ROSENFELD: Well, your Honor, putting aside the
20 number for a moment, it is not only who represents the largest
21 financial interest, but there are also issues with respect to
22 the adequacy and typicality of the lead plaintiff movants.

23 THE COURT: I am not there. I'm somewhere else. I am
24 trying to figure out how, if you don't aggregate, you become
25 the lead -- your client becomes -- which one of your clients

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1 becomes the lead plaintiff?

2 MR. ROSENFELD: Well, your Honor, Mr. Yates, who is
3 the namesake of our group, he represents the largest financial
4 interest from our members with a loss of \$237,000.

5 THE COURT: He would be the lead plaintiff?

6 MR. ROSENFELD: If the Court was inclined to appoint
7 only one investor --

8 THE COURT: You don't think anybody else that
9 submitted a motion has a greater loss than Mr. Yates?

10 MR. ROSENFELD: They may have reported a greater loss.

11 THE COURT: What?

12 MR. ROSENFELD: They may have reported initially a
13 greater loss. We do believe they have issues either with
14 respect to their adequacy or typicality or the way they
15 calculate their losses.

16 For example, some of the movants sold their entire
17 position prior to the slowage of the fraud, so they would have
18 great -- tremendous issues demonstrating loss causation.

19 THE COURT: You think on an individual basis Mr. Yates
20 is the lead plaintiff?

21 MR. ROSENFELD: I think he has a good shot.

22 THE COURT: I don't know what "good shot" means.

23 MR. ROSENFELD: Well, your Honor --

24 THE COURT: This is not a crap shoot.

25 MR. ROSENFELD: I understand that.

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1 THE COURT: No, you don't. I don't think you do. It
2 doesn't sound like I'm making myself clear here, you know. I
3 don't think this is a lottery. I think this is a lot more
4 objective than maybe you all think.

5 And so if you're thinking that you have a shot, as it
6 were, I don't understand that idea. I only understand the idea
7 that you can persuade me legally. And I am trying to
8 understand how you can persuade me legally that Robert Yates
9 would be the lead plaintiff if you don't aggregate.

10 MR. ROSENFELD: Well, your Honor, in addition to
11 having the largest financial interest, as I was saying
12 beforehand, there is also a requirement to show that the other
13 movants are adequate and typical.

14 THE COURT: Talking about Mr. Yates, tell me why
15 Mr. Yates would be the lead plaintiff in this case.

16 MR. ROSENFELD: Well, Mr. Yates is --

17 THE COURT: Do you know him?

18 MR. ROSENFELD: I've spoken with him.

19 THE COURT: Yes. You ever met him?

20 MR. ROSENFELD: Personally, no. But I've spoken with
21 him on the phone. He is very interested in this case.

22 THE COURT: Once, twice?

23 MR. ROSENFELD: Two or three times.

24 THE COURT: Okay.

25 MR. ROSENFELD: And other attorneys from my firm have
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1 spoken with him as well.

2 THE COURT: Right.

3 MR. ROSENFELD: But we believe that he has a very
4 strong financial incentive to pursue this case. He is very
5 motivated to pursue this case. He wants to pursue this case.

6 THE COURT: Motivation, I bet you every one of these
7 people sitting in this room, I bet you every one of them has
8 spoken to a client who is motivated.

9 MR. ROSENFELD: I'm sure that's correct.

10 THE COURT: Motivation probably be a wash, I would
11 say.

12 MR. ROSENFELD: It would be a wash.

13 THE COURT: It wouldn't be?

14 MR. ROSENFELD: It would be a wash.

15 THE COURT: So give me something more tangible than
16 motivation.

17 MR. ROSENFELD: Your Honor, we are in the process
18 right now of evaluating the other movants, and going through
19 our analysis of their numbers, the way they have arrived at
20 their numbers, and the issues with respect to their adequacy
21 and typicality. If we determine that there is a legitimate
22 basis for pursuing the motion further, we will file an
23 opposition brief. If after reviewing the information we come
24 up with nothing, we realize there is no opportunity for our
25 clients to be lead plaintiffs, we will not file a motion. A

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1 brief.

2 THE COURT: Well, I am expecting -- what I am trying
3 to say is I am expecting everybody to file something.

4 MR. ROSENFELD: That's right. I know. I meant in
5 further support.

6 THE COURT: To tell me whether they're still in or
7 whether they're not in --

8 MR. ROSENFELD: That's correct, your Honor. That's
9 correct.

10 THE COURT: That's what I am expecting.

11 MR. ROSENFELD: That's exactly what we intend to do.

12 THE COURT: Anybody else want to be heard?

13 MR. BROWER: David Brower. We represent the Kremser
14 Group. I am going to try to answer some of the questions you
15 posed to my colleagues because I don't think they completely
16 answered.

17 First of all, the statute provides that it is the
18 plaintiff with the largest financial interest in the relief
19 sought by the class. I think your Honor understands the relief
20 sought by the class, which would certainly be the damages in
21 the case and the recovery of what has been lost in the
22 litigation, which may have nothing to do with market losses,
23 but clearly the course --

24 THE COURT: Which of your clients?

25 MR. BROWER: Mr. Kremser, who has \$555,000.

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1 Mr. Kremser, if you look at the papers, and I'm going to answer
2 the Court's question now, if you look at the papers, right now
3 there are three movants who have the largest claimed losses
4 among all of the rest of the movants. Okay. Those are the
5 First Affirmative Financial Network, who is the Wolf
6 Haldenstein client, Mr. Burt's client. KT Investments and
7 Kendall Investments, which are I believe are claimed to be the
8 same entity, they've put them together. If you treat them
9 separately one has 423 and one has 267.

10 THE COURT: So your Mr. Kremser would be larger than
11 all but one of those. You would be number two to FAFN?

12 MR. BROWER: Correct. You are going to say why don't
13 I step aside.

14 THE COURT: I am not urging anybody to step aside.
15 Because I haven't read all the papers. But now that you've
16 raised the question, it is an interesting hypothetical.

17 MR. BROWER: Happy to respond. As my colleague from
18 Mr. Coughlin's firm was trying to explain to the Court, there
19 are three requirements to be the lead plaintiff. One is that
20 you have the largest financial interest.

21 THE COURT: You would lose on that by \$200,000.

22 MR. BROWER: Correct. Second, that you are typical of
23 the members of the class and that you will adequately represent
24 the class. We believe we will demonstrate beyond gain set that
25 Affiliated -- whatever it is calling itself -- cannot and is

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1 not a member of the class. Never mind adequate or typical,
2 they have to -- to move, the first step before you start
3 looking at the financial loss and that sort of stuff, are they
4 a member of the class. We are going to demonstrate that entity
5 is not a member of the class.

6 And even if it were a member, arguably a member of the
7 class, it is not typical nor adequate to represent the class.
8 That's going to be the fight. And I think your Honor knows
9 from experience --

10 THE COURT: The fight is between two of you.

11 MR. BROWER: What I've heard is I'm going to see
12 motions from everybody saying everybody is no good.

13 I should point out to the Court there is an elephant,
14 there is one of these 800 pound elephants in the room.
15 Everyone sitting here are experienced lawyers. There is case
16 law out there that says you cannot reconstitute your group
17 after the motions are made. And everyone is kind of afraid to
18 bring that up. What people are concerned about is once
19 Mr. Berger Montague's firm moved with this group of six people
20 to carve out Mr. Yates, is contrary to some of the case law
21 that says you can't redo your motion after you make it, you're
22 stuck with your group.

23 It doesn't allow, for instance, the two groups to go
24 talk to Mr. Burt and say we have the two largest people, let's
25 not make defendants happy and have a big fight, let's put

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1 together our two largest people and go forward with that, which
2 would in this case be almost \$2 million, would be a million and
3 a half bigger than everybody else, and frankly not subject
4 to -- ours is not subject to any meaningful attack. You can
5 make up anything you want. There are very creative lawyers
6 here. At the end of the day there is going to be immaterial sort
7 picky stuff. But people are afraid to do that. They are
8 afraid what the Court is going to do is look at those cases.
9 The one person who doesn't do it who comes in third or fourth is
10 going to say this case in the Southern District of Florida or
11 this case in the Northern District of California where someone
12 tried to reconstitute a group, and boom, they were thrown out
13 automatically. Because the argument under those cases is your
14 motion is your motion when you meet the 60-day deadline, and
15 anything you do after that is a new motion, and that makes it
16 moot because it's too late.

17 That's the 800 pound gorilla in the room.

18 The problem is, your Honor, except for one movant who
19 I am not sure counsel is even here today representing that
20 movant, who has a \$43,000 loss, everyone is a group of
21 unrelated people. There is no debate about that. Every one of
22 these groups was aggregated. Aggregation is appropriate under
23 lots of the case law. The statute kind of suggests that an
24 aggregation has been going on since 1995. And there are tests
25 for what's proper aggregation and not proper aggregation. And

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1 it is pretty clear now you don't have to have people who are
2 related to have proper aggregation, but you do have to meet
3 certain requirements when you make your motion to demonstrate
4 your group is really a group. Because we go back to what I
5 said earlier with regard to Affiliated whatever it's called,
6 Mr. Burt's client, you have to be a, quote, member of the class
7 when you make your motion. That's step one.

8 Then you go into whether you have largest financial
9 interest and otherwise meet the requirements of Rule 23. You
10 also have to be a proper group, as that term is understood
11 under the PSLRA when you make the motion. You can't repair
12 your group later.

13 At the same time, if the Court is kind of indicating
14 to the parties it wants to hear from the largest individual
15 members of each of these groups, and why that person or entity
16 is the proper lead plaintiff as opposed to the other lead
17 plaintiffs, because we all know what everybody claims each
18 member's losses are, they are in all the papers, your Honor had
19 those numbers, they're there. Well, then, I am sure the
20 parties are happy to talk to the members of their groups and
21 give them the Court's inclinations on this and advise them like
22 we advise any other clients.

23 But the moving plaintiffs here are in sort of a
24 Catch-22 circumstance. To satisfy the Court, what the Court
25 seems to be indicating it's interested in hearing --

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1 THE COURT: No, no. You would have me wrong because
2 I'm not giving you any direction. I'm just giving the
3 direction that you have to comply with the statute.

4 MR. BROWER: I understand.

5 THE COURT: I will do my best to figure out who is the
6 lead plaintiff in compliance with the statute. I am not
7 pushing you in one direction or another.

8 MR. BROWER: I understand. I will note courts have
9 sua sponte or at invitations of parties, typically at
10 footnotes, reached in and taken the largest satisfactory
11 members of a group or groups and appointed them as lead
12 plaintiff in cases, because the Court's obligation is obviously
13 to the class at the end of the day.

14 THE COURT: Yes, but I'm not going to do your work for
15 you, so to speak. That's not my intention. So I'm looking for
16 a brief that explains and does so to the best that I understand
17 the law and in compliance with the law. That's who I'll pick
18 as lead plaintiff.

19 MR. BROWER: I hope I answered the Court's questions.

20 MR. RADO: I'm Andrei Rado. My firm represents the
21 Rawden Group. I don't want to get into the motion. I've heard
22 what the Court has said. I can assure the Court we won't be
23 wasting anyone's time. If there is no basis to continue with
24 our motion, we won't do so.

25 I think the real elephant in the room is there are

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1 parallel proceedings in the District of Maryland.

2 THE COURT: So far, I can only deal with one case at a
3 time. I've got enough on my hands with this case in the
4 Southern District for the moment.

5 So if counsel is right that everybody has submitted a
6 group, then why is it -- well, I am not really asking that
7 question. You are saying if all other things were equal, I
8 would just add up the size of the group and the largest group
9 would win.

10 MR. BROWER: That --

11 THE COURT: If the other criteria were met, if they
12 were members of the class and they were typical.

13 MR. BROWER: If you're a member of the class, if the
14 people, you look at the loss, you look at when they lost their
15 money.

16 THE COURT: Do you think all these groups are legal
17 groups under the statute? You are saying everybody's a group.

18 MR. BROWER: The answer is no.

19 THE COURT: You are saying you are allowed a group --

20 MR. BROWER: No. But they're not, and I will tell you
21 why without pointing fingers today.

22 THE COURT: I understand.

23 MR. BROWER: But I will tell you why. The threshold
24 question has to be are you a member of the class in order to be
25 in the group.

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1 THE COURT: Right.

2 MR. BROWER: And because we believe there are several
3 members of various groups who are not legitimate class members
4 as a matter of standing under federal securities laws, they're
5 out. You throw them out, and then readd up the losses of the
6 groups.

7 THE COURT: Got it.

8 MR. BROWER: They're back with the individual movant
9 with 42,000. Some of them are back behind those guys.

10 THE COURT: You think the case law is such that if
11 they're in the class you can group as you wish?

12 MR. BROWER: If they're in the class you can group as
13 you wish, provided they have met the requirements to be an
14 appropriate group as that term has been interpreted by the
15 courts that allow groups. And as was indicated, there is some
16 split, but there is some very, very well reasoned lengthy case
17 law on this issue. It is now 12, 13 years under the statute.
18 There are a lot of cases, there has been a lot of litigation of
19 groups, and there is a lot of law on the issue both in this
20 district, within this circuit, and all over the country. And
21 everybody looks to everybody else on this issue. We're dealing
22 with federal statute after all.

23 And what you need -- there was some discussion of the
24 kinds of things courts have looked to to determine whether the
25 group is a cohesive, functioning entity. Because at the end of

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1 the day the idea is to find the, quote, most adequate
2 plaintiff. When it is a group, you need to know it can
3 function as a plaintiff like a human would function, give
4 instructions to his lawyer, control the litigation, supervise
5 the litigation.

6 Aggregations of hundreds of people, which were done in
7 1995 and 1996, people would get hundreds of people with 10
8 shares. Courts have said no, that's not happening.

9 THE COURT: How about aggregation of a husband and
10 wife?

11 MR. BROWER: Aggregation of a husband and wife is the
12 classic aggregation, but they are two people. They would be
13 treated as two. Because they're not a single entity. Husbands
14 and wives are no longer considered a single entity in this
15 country. You have to demonstrate they can work together. That
16 both of them are bringing their business acumen to the table,
17 to instruct the lawyers. Otherwise you have one person who is
18 actually the plaintiff and one person who is a tool. And the
19 statute is you can't have a member of a group who is a
20 non-entity, who is there for show.

21 But assuming they are both willing to do their job,
22 married people are the classic related aggregated group of two.
23 And then they can join other people if those other people have
24 a mechanism for working together.

25 Another perfect example is Fidelity. That's what

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1 Congress had in mind, if you look at the legislative history,
2 it is the mutual funds, we're going to come in as plaintiffs in
3 securities cases. Putting aside the naivete of Congress when
4 they thought those would be the lead plaintiffs, what they were
5 thinking is a family of mutual funds that were controlled by
6 Fidelity, and all purchased the same stock, would come in
7 together as a group. So that would be another example of the
8 classic related group.

9 Again, none of the groups here as currently
10 constituted are groups of related persons.

11 THE COURT: I get it. So do the Rawdens get along?

12 MR. RADO: Yes. As far as I know, the Rawdens get
13 along quite well.

14 THE COURT: Neither one of them is a tool?

15 MR. RADO: Not my tool in any event. The judge in
16 Maryland is presiding over the same motions as are before this
17 Court. It is the same action, the same litigation, the same
18 class action, the same defendants.

19 THE COURT: Right.

20 MR. RADO: There is going to be -- the venue issue
21 will have to be resolved before this case proceeds to any
22 point.

23 THE COURT: Right.

24 MR. RADO: What some Courts have done is simply hold
25 off until that venue issue is resolved either by 1404 motions

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1 filed with the district courts or an MDL panel motion. And I
2 just want to mention that to the Court, if that's something
3 that could be done.

4 THE COURT: Wouldn't it be sensible to figure out who
5 the lead plaintiff is and then to invite that person to, if
6 they want to, make a motion to transfer the case to Maryland or
7 not, to entertain it at that point?

8 MR. RADO: That would be one way to do it.

9 THE COURT: If you did it now, there might be a wide
10 difference of opinion among all of you.

11 MR. RADO: Right. There is nothing preventing the
12 judge in Maryland from also ruling on the motions before him.

13 THE COURT: I recommend it. No. That's a little too
14 strong. But I certainly have no opposition -- I have no,
15 actually, no position on what the judge in Maryland should do.
16 I think the judge in Maryland should be free to do whatever he
17 or she thinks is appropriate.

18 So, but what are you trying to say?

19 MR. RADO: What I am suggesting is the best course may
20 be to wait until these issues are resolved. Maybe we can hear
21 from defendant.

22 THE COURT: Wait until they are resolved by who?

23 MR. RADO: By either defendants who may file an MDL
24 motion. That's often how they are resolved. Or by the
25 plaintiffs themselves who may wish to transfer the action. Or

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1 maybe we can hear about where they think the case should be.

2 THE COURT: I get that. There is an issue I am trying
3 to think how does it happen. We could wait. I am sure
4 something will happen if you wait long enough.

5 MR. RADO: The defendants can move for an MDL in a
6 situation like this. We have five cases or six cases in one
7 jurisdiction, I think five in another. It make sense to do
8 that as opposed to have every case transferred under 1404.

9 MR. WEIDNER: I'm James Weidner from Clifford Chance.
10 We represent the corporate defendant. We have no dog in this
11 particular fight here. Where we did have a dog --

12 THE COURT: Which fight?

13 MR. WEIDNER: Lead client.

14 THE COURT: You don't care about that. Do you care
15 about venue?

16 MR. WEIDNER: Yes. What we care about is all the
17 cases -- all of them -- be consolidated before one Court.
18 Since the plaintiffs don't seem to have any inclination for
19 filing a motion in that respect, we will within the next week
20 file a motion under 1407 before the MDL panel.

21 THE COURT: You are going to make an application to
22 have all the cases -- are they pending in any other
23 jurisdictions?

24 MR. WEIDNER: No. Just two jurisdictions, Judge.

25 THE COURT: How many cases all together?

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1 MR. WEIDNER: 14 I believe.
2 MR. BROWER: There are 11.
3 MR. WEIDNER: There are 11 now? Judge, apparently my
4 chart is out of date. There are 11.
5 THE COURT: You will be doing that --
6 MR. WEIDNER: Within the week.
7 THE COURT: Well, that answers your question.
8 MR. RADO: Yes.
9 MR. WEIDNER: Probably this venue.
10 THE COURT: Anybody else?
11 MR. BURT: Your Honor, Thomas Burt, Wolf Haldenstein.
12 I represent the First Affirmative and Ken Slater Group. As you
13 already heard --
14 THE COURT: He says you are not even a class member.
15 Should I let you talk?
16 MR. BURT: I think you should, Judge.
17 THE COURT: You may not have standing even.
18 MR. BURT: As Mr. Brower said, Congress did intend
19 investment advisors like Fidelity. First Affirmative is an
20 investment advisor. And has --
21 THE COURT: You are talking about FAFN?
22 MR. BURT: FAFN is First Affirmative Financial
23 Network, Judge. I'll answer a question you asked somebody
24 else. I know those folks for six years now.
25 THE COURT: Which folks?

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1 MR. BURT: First Affirmative. I know their CEO, I
2 know his right-hand man, I know --

3 THE COURT: No tool in that group, huh?

4 MR. BURT: I have met them. These are not people that
5 I've only known for three weeks. I've known them for several
6 years.

7 First Affirmative has the standing to pursue the
8 lawsuit. That's going to come out in the briefing. And we'll
9 deal with it.

10 THE COURT: How does he think you're not in the class?
11 I won't hold you or them to it.

12 MR. BROWER: Me?

13 THE COURT: No. You are the one who thinks it.
14 You're confident that FAFN is a class member?

15 MR. BURT: Yes, Judge. It is -- unless Mr. Brower has
16 thought of something so creative that it is outside of my
17 imagination.

18 THE COURT: He may have.

19 MR. BURT: Whether the investment advisor can pursue
20 losses. When he looks into it, he'll find that we have dotted
21 our i's and crossed our t's.

22 THE COURT: So you think that -- you have a group too
23 in addition to FAFN?

24 MR. BURT: We do, Judge. Interestingly enough,
25 depending on how you count the class period, whether you count

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1 the last day or not, which there is a difference of one day.
2 Kenneth Slater, and Mr. Brower said before that Slater is two
3 entities. Not really. It is all his mother's money.

4 THE COURT: Where is he? I'm looking.

5 MR. BURT: The FAFN Slater Group. The other half is
6 Ken Slater on behalf of family money, two trusts that are
7 simply the assets of one person.

8 THE COURT: I see.

9 MR. BURT: It is all his mom's money.

10 If you include the last day of the class period, there
11 his losses go up so that -- I don't have it right in front of
12 me, but it is almost a tie with the Rawdens together. I
13 thought the Court should know the lay of the land is really
14 Affirmative Slater, the Rawdens if taken as a couple, and
15 everybody else much further back, Kremser being fourth.

16 That's about all I have to say, Judge.

17 MR. BROWER: Your Honor, I didn't say advisors.
18 Mr. Burt reworded what I said. I said mutual funds. Mutual
19 funds are corporations that own the securities they purchase.
20 And you buy shares in mutual funds. Investment advisors,
21 particularly FN whatever.

22 THE COURT: FAFN.

23 MR. BROWER: Doesn't own the shares. That's why he
24 has no standing. They are individual accounts belonging to
25 individual customers. Whether or not they have authority to

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1 bring lawsuits -- whether your broker, Merrill Lynch, can take
2 your brokerage account, and if you lost money, go off and where
3 it has some discretion to trade for you, go and off and bring
4 lawsuits for you under a statute that also has a fee shifting
5 provision, is a real question. And I'm pretty sure --

6 THE COURT: What's the answer to it?

7 MR. BROWER: I haven't seen -- the papers were not
8 attached to the motions as they often are.

9 MR. BURT: Judge, the answer to that is courts have
10 required a few different things. But if you have express
11 permission or express power of attorney as an investment
12 advisor, you can pursue the loss of your beneficial owners as
13 you act as an attorney in fact, even without a express
14 provision. You definitely can. There are some cases that say
15 mere investment discretion is enough. I don't know if those
16 cases have the better of the law. Mr. Brower can brief it.

17 THE COURT: What's the basis for FAFN?

18 MR. BURT: Express power.

19 THE COURT: You have written authorization from --

20 MR. BURT: They have either been executed or will be
21 executed. Either have been executed or will be executed, the
22 beneficial owner --

23 THE COURT: How did the "will be executeds" come into
24 play?

25 MR. BROWER: We'll need some discovery if they do
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1 this.

2 MR. BURT: Will be executed comes into play in that
3 after checking with the beneficial owners to make sure they
4 wanted First Affirmative to pursue the loss in this forum, they
5 were going to execute limited powers of attorney to make it
6 clear they had the power to do so, to forestall any objection
7 to their standing. And whether those have actually been signed
8 or in the process I think doesn't matter. By the time the
9 opposition comes in, it will be done. If they have the express
10 power to do it from the beneficial owners, then they can do it.
11 I don't think Mr. Brower is going to tell you that it is not
12 the law that if they have an express power of attorney to go
13 forward that they have it.

14 MR. BROWER: I will tell him he's too late.

15 THE COURT: How much worth of losses do you have in
16 your hand now, express powers?

17 MR. BURT: I don't know.

18 MR. BROWER: The question is when this motion was
19 filed.

20 THE COURT: You don't know?

21 MR. BURT: I don't know. I don't know what's been
22 signed.

23 THE COURT: That's puzzling. How could you not know
24 it?

25 MR. BURT: Because I'm dealing with First Affirmative,
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1 the head office in Colorado Springs.

2 THE COURT: Yes.

3 MR. BURT: Then there is a rep, then there's several
4 clients who are beneficial holders.

5 THE COURT: Yes?

6 MR. BURT: So --

7 THE COURT: So to your knowledge nobody's signed.

8 MR. BURT: I don't reach out directly to the clients
9 of First Affirmative.

10 THE COURT: I am trying figure out what you know. To
11 your knowledge nobody has authorized you to --

12 MR. BURT: To my knowledge, everybody has told First
13 Affirmative that they have the authority to go forward. Who
14 has actually signed the limited power of attorney, I don't
15 know. And who just hasn't signed it, knows that they want
16 First Affirmative to do it and has received the piece of paper,
17 signed it and returned it, I don't know. But I know that
18 everybody's told First Affirmative to go ahead.

19 THE COURT: "Everybody" being how many people?

20 MR. BURT: I don't know exactly. It is between two
21 reps. One of whom it's entirely family money, and I know the
22 rep and the family. And the other one is another broker with
23 several investors. How many is "several," I don't know. A
24 handful. It is not 300 people, Judge. It is one rep with
25 family money and one broker with several clients, but "several"

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1 being not hundreds. "Several" being a small number.

2 MR. BROWER: Your Honor, of course the issue is when
3 they made a motion.

4 THE COURT: I get it.

5 MR. BROWER: Moreover, if you look at their numbers --

6 THE COURT: I think this is a very helpful
7 conversation.

8 MR. BROWER: I think Mr. Burt made the point his
9 numbers are also very weird because what they did is they took
10 separate accounts and they aggregated them as though they were
11 one account.

12 THE COURT: I'll read all this in the oppositions.

13 MR. BURT: In any event, Judge, Mr. Slater also has
14 losses that are far larger than Mr. Kremser.

15 THE COURT: How about big are Mr. Slater's losses?

16 MR. BURT: If you don't count the last day, they're
17 690, Judge. If you do count the last day I believe they are
18 794. That's all one person's money.

19 MR. BROWER: But not Mr. Slater's, apparently,
20 according to Mr. Burt.

21 MR. BURT: Judge, Mr. Slater is attorney in fact for
22 his mother's affairs. And in fact Mr. Brower's previously
23 represented Mr. Slater. I think he knows that.

24 MR. BROWER: I have no idea.

25 THE COURT: Okay. I've heard enough. So I'll look

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forward to the additional briefing in this case.
Nice to see you.

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EXHIBIT 2



*Transformative Investing
for Socially Conscious Investors*

Network Member Services: 2008

First Affirmative Financial Network is pleased to offer a unique package of services for advisers seeking to better serve the special needs of socially conscious investors.

We invite you to be a part of our nationwide community of SRI-oriented investment professionals and tap into a suite of special resources at deeply discounted prices. If part of your business is focused on the unique and growing market of socially conscious investors, one of our Member Services Packages is designed for you.

Three levels of membership are available, depending on your professional relationship with First Affirmative. See the attached Member Services Subscription Form for payment options.

Subscriber Member Services: \$1,400

Subscriber level members do NOT have a Selling Agreement (or Solicitor's Agreement) with First Affirmative and, therefore, cannot place business with First Affirmative.

Subscribers receive the following membership benefits:

1. Individual Professional Membership in the Social Investment Forum
2. Complimentary registration for the 19th annual SRI in the Rockies Conference (October 26–29, 2008, at The Fairmont Chateau Whistler, Whistler, British Columbia, Canada)
3. Complimentary access to First Affirmative's Pre-Conference Retreat (October 24–26, 2008)
4. Access to IW Financial's online social research facility, IW Social Advisor
5. Access to the Proxy Governance database on proxy issues and shareholder resolutions
6. Access to the Accredited Investment Fiduciary (AIF) resources and tools offered by fi360 and the Center for Fiduciary Studies
7. Access to FP Transitions tools for business succession and valuation planning.
8. A one-year subscription to Bob Veres' newsletter, *Inside Information*
9. A one-year subscription to the *GreenMoney Journal*
10. A 10% discount off all of the Financial DNA[®] profiles, tools, and training services available from Financial DNA Resources
11. Participation in First Affirmative's network member list-serve, FAFNet
12. Access to "members-only" section of the First Affirmative website
13. Discounted FedEx stamps for overnight deliveries (only available to network members)

Selling Member Services: \$1,200

Selling level members can place asset management business with First Affirmative by virtue of a Selling Agreement or Solicitor's Agreement between First Affirmative and the adviser's broker-dealer or RIA firm.

Selling Members receive all of the benefits listed above, PLUS the following:

14. Up to 50 free copies of First Affirmative's quarterly newsletter, Affirmative Thinking, and quarterly Market Commentary for use with clients and/or prospects
15. Marketing support, including leads generated by First Affirmative advertising, marketing materials, and use of First Affirmative's tabletop display for local events
16. A listing and Professional Profile on the First Affirmative website with links to your personal website
17. Conference expense reimbursements based on client assets under management with First Affirmative. Reimbursements will cover room and tax only.
18. Use of the identifying statement "Member, First Affirmative Financial Network" in your SIF Directory listing and in advertising, if approved by your compliance department

IAR Member Services: \$2,375

Investment Advisory Representatives (IARs) of First Affirmative Financial Network, LLC are identified on First Affirmative's Form ADV filed with the SEC, and all fee business done through First Affirmative is supervised by First Affirmative staff.

FAFN IARs must be qualified to use the AIF (Accredited Investment Fiduciary) designation from the Center for Fiduciary Studies.

An IAR level membership includes all of the required supervision and oversight required of an SEC Registered Investment Advisor. IAR Members have chosen to work under First Affirmative's RIA rather than their own or that of another firm.

FAFN IARs receive all of the benefits listed above, PLUS the following:

19. The ability to do rep-managed business with discretion, if conducted in a manner that complies with all First Affirmative policies (if approved by the adviser's broker-dealer, if dually registered)
20. State registrations
21. E&O (Errors & Omissions) insurance covering all First Affirmative supervised business
22. Renewal of your annual AIF designation
23. Use of the FAFN IAR service mark on business cards, stationery, advertising and directory listings
24. 500 complimentary First Affirmative business cards and use of First Affirmative letterhead template
25. Listing in the Social Investment Forum membership directory as "Investment Advisory Representative, First Affirmative Financial Network"



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Description of Member Benefits: 2008

The services and support offered by First Affirmative Financial Network are designed to help you better serve the growing market of socially conscious investors.

The membership benefits described below provide investment professionals with access to the most comprehensive suite of SRI-oriented resources available anywhere, at deeply discounted prices. First Affirmative's ability to negotiate group discounts on behalf of the network is what makes these unique resources so affordable and so valuable.

Network members must demonstrate certain standards of competence, experience, commitment, and professional conduct as described in the attached "Values and Conduct of Network Members" document. Membership may be rescinded if an adviser is found to be substantially in violation of these expectations.

Specific membership benefits are more fully described below. In brackets you will find information on the "retail" prices of many of the member benefits being offered [the price you would pay as an individual purchaser/subscriber].

Subscriber Member Benefits (\$1,400)

Subscriber level members do NOT have a Selling Agreement (or Solicitor's Agreement) with First Affirmative and, therefore, cannot place business with First Affirmative.

Subscriber Level Members receive the following benefits:

- ♦ **FAFNet** is an internet based e-mail list-serve facility that connects network members all over the country. The FAFNet serves as a dynamic information and idea exchange medium and is the primary communication vehicle for everyone affiliated with the First Affirmative Financial Network. Many network advisers find the opportunity to plug into this community of like-minded professionals one of the most valuable benefits of establishing a professional relationship with First Affirmative.
- ♦ As a **Social Investment Forum Member**, you will receive a standard listing in the SIF Membership Directory (both print and online directories), *National Green Pages* and *Financial Planning Handbook for Responsible Investors*. The Social Investment Forum is the national non-profit trade association for the socially responsible investment industry. [The annual dues for an Individual Professional Membership are \$475 in 2008.]
- ♦ Network members are automatically registered for the annual **SRI in the Rockies Conference**. Your conference registration will be pre-paid in full. Understand that this membership benefit does NOT include travel and lodging. The 19th annual SRI in the Rockies Conference will be October 26–

29, 2008 at The Fairmont Chateau Whistler, Whistler, British Columbia, Canada. Plan to join us for a **Pre-Conference Retreat** (special presentations, networking, training) October 24–26, 2008. [The “Early Bird” conference registration rate (“best price”) is \$885 with SIF membership.]

In addition to covering your conference registration, this benefit extends to your office staff/assistants. You can bring staff to the conference at a special rate of \$500 which covers the costs for food during the conference and transportation to/from the Vancouver airport.

- ◆ **Access to the “members-only” area of the First Affirmative website** where you can download documents, forms, newsletters and other First Affirmative materials, and access links to third-party vendors such as IW Financial, Proxy Governance, and FI360 (see the next four bullets).
- ◆ **IW Social Advisor** makes it easy for advisers to rate and analyze a client’s holdings based on their specific personal interests such as environment, board diversity, and defense. IW Financial delivers an online corporate practices and screening platform that can streamline the research process and provides user-friendly information to help you and your clients explore investment opportunities. IW Social Advisor covers 3,000 companies and allows for establishing custom social criteria on a client-by-client basis, if desired.
- ◆ **Proxy Governance** provides First Affirmative with proxy voting services covering all securities held in First Affirmative fee-based accounts at Charles Schwab & Co. Inc. where the client has authorized First Affirmative to vote the shares, and all securities held in FOLIO^{fn} accounts. In addition, network members have access to the Proxy Governance **database** of information and analysis of corporate governance and social responsibility shareholder resolutions. This service is not available to individual practitioners outside of First Affirmative.
- ◆ Access to the **fi360 web-based tools**, which include mutual fund research, portfolio optimization tools, sample Investment Policy Statements, and other fiduciary training materials. Investment professionals who are not affiliated with First Affirmative can access the fi360 web-tools by taking the Accredited Investment Fiduciary online training [\$995] and paying an annual fee for accreditation [\$325].
- ◆ **FP Transitions** is the nation’s largest and best known succession, valuation, and acquisition consulting firm for the financial services industry. **FP Transitions** provides network advisers with practice valuation, internal succession planning guidance, disaster planning solutions, partnership and group practice support, sales and acquisition tools, and a private label transition portal, at discounted rates.
- ◆ Hugh Massie, the author of *Financial DNA: Discovering Your Unique Financial Personality for a Quality Life*, is offering network advisers a **10% discount off all of the Financial DNA[®] profiles, tools, and training services**. Additional discounts are available for committed purchases of over 25 profiles. Financial DNA Resources is a leading international wealth mentoring business that specializes in human behavioral discovery. Many financial advisers are adopting the

powerful yet non-threatening internet-based Financial DNA® Discovery Process to help clients integrate their financial personality, life purpose, relationships, and finances.

- ◆ An annual subscription to Bob Veres' acclaimed industry newsletter ***Inside Information*** [\$349].
- ◆ An annual subscription to the ***GreenMoney Journal***.
- ◆ Deep discounts on **Federal Express** overnight delivery services for network advisers who purchase stamps in advance through First Affirmative. This benefit is only available to network members—not other advisers who may be in the same office. Prices change from time to time, but your cost using stamps is generally less than half the cost of shipping an individual package of the same weight.

Selling Member Benefits (\$1,200)

Selling level members can place asset management business with First Affirmative by virtue of a Selling Agreement or Solicitor's Agreement between First Affirmative and the adviser's broker-dealer or RIA firm.

Selling Level Members receive all of the benefits listed above, PLUS the following:

- ◆ **Marketing support**, including distribution of investor leads generated by national advertising and gathered through the FAFN website. Distribution of leads is based on the volume of business placed with First Affirmative, demonstrated desire to do lead follow-up, and geographic proximity to the prospective client.
- ◆ First Affirmative's quarterly newsletter, ***Affirmative Thinking*** and a quarterly ***Market Commentary*** are provided to all clients in First Affirmative managed accounts. Up to 50 additional copies of these publications are available to Selling level members each quarter free of charge. Additional copies (above the 50 copies) are available at cost, 80-cents each.
- ◆ Use of a First Affirmative **tabletop display** for conferences, fairs and exhibits. First Affirmative will ship it to you upon request; you are responsible for return shipping costs. First come, first served.
- ◆ Both geographic as well as alphabetical **listing on the First Affirmative website**, including your e-mail address, to allow prospective investors to contact you directly.
- ◆ A **Professional Profile** describing your background, your practice, and your approach to working with clients. Your Professional Profile will be posted on the First Affirmative website where prospective investors can search by region and identify you as an investment adviser with whom they might want to work. It's easy to link your profile to your own website, if you have one. Your Professional Profile will be available online in a printable format with the same general look and feel of all First Affirmative marketing materials.
- ◆ The 2008 **Conference Incentive Reimbursement Plan** will be based on assets under management in First Affirmative managed accounts as of August 31, 2008 and structured similarly to our 2007 conference expense reimbursement plan. Selling Members who have business with First

Affirmative and who attend the 2008 Pre-Conference Retreat and SRI in the Rockies Conference will receive incentive payments as credits to their hotel bill at The Fairmont Chateau Whistler of between \$150 and \$1,000. Incentives will not be paid to advisers who do not attend the conference or do not incur lodging expenses at The Fairmont Chateau Whistler.

Benefits for First Affirmative IARs (\$2,375)

Investment Advisory Representatives (IARs) of First Affirmative Financial Network, LLC are identified on First Affirmative's Form ADV filed with the SEC, and all fee business done through First Affirmative is supervised by First Affirmative staff.

FAFN IARs must be qualified to use the AIF (Accredited Investment Fiduciary) designation from the Center for Fiduciary Studies.

An IAR level membership includes all of the required supervision and oversight required of an SEC Registered Investment Advisor. IAR Members have chosen to work under First Affirmative's RIA rather than their own or that of another firm.

Investment Advisory Representatives of First Affirmative Financial Network receive all of the benefits listed above, PLUS the following:

- ◆ FAFN IARs can conduct rep-managed business with discretion under the "Policies for Supervision of Investment Advisory Representatives" as enforced by First Affirmative compliance staff.
- ◆ First Affirmative will take responsibility for **state registrations**.
- ◆ **E&O insurance** coverage sufficient to cover all First Affirmative supervised business.
- ◆ First Affirmative will cover the cost of renewing your **AIF designation** annually.
- ◆ Complimentary **Business Cards** identifying you as an Investment Advisory Representative of the First Affirmative Financial Network, LLC (500 cards annually, if needed).
- ◆ Use of the **FAFN IAR stationery template**.
- ◆ Use of the **FAFN IAR logo** in your marketing materials and in local/regional advertising.
- ◆ **Social Investment Forum membership listing** as "Investment Advisor Representative, First Affirmative Financial Network."



*Transformative Investing
for Socially Conscious Investors*

Member Services Subscription Form: 2008

- ☐ **Subscriber Member Services** **\$1,400**
- ☐ **Selling Member Services** **\$1,200**
- ☐ **IAR Member Services** **\$2,375**

☐ Yes. I want to subscribe to the First Affirmative Member Services Package identified above (please check appropriate box above). I am enclosing a check with this Subscription Form as payment in full.

☐ Please charge my credit card for the full Subscription Price of \$ _____

☐ VISA ☐ MasterCard ☐ AmEx Card Number: _____

Signature: _____ Exp Date: _____

Please affix your business card here, even if you think we may already have your contact information. This type of information changes often—please help us keep our database current.

With my signature below, I hereby certify my understanding that First Affirmative Financial Network, LLC is a provider of certain services and resources designed to assist me in serving my investor clients and that I am not a First Affirmative employee. I hereby promise not to misrepresent my relationship with First Affirmative Financial Network, LLC.

Print Name: _____

Signature: _____

CRD# _____ (you can find your number at www.finra.org)

Please return this Subscription Form along with your check to:

First Affirmative Financial Network, 5475 Mark Dabbling Boulevard, Suite 108, Colorado Springs, CO 80918

Fax to: 719.636.1943

QUESTIONS: Call Danielle (877.542.8583) or Steve (877.540.4933 x101) or George (800.422.7284 x111)



*Transformative Investing
for Socially Conscious Investors*

Values and Conduct of Network Members

Fundamental Beliefs

- Every person has a core set of values that govern his or her actions.
- The beliefs and values we share far outnumber those about which we differ.
- Fair-minded people respect and tolerate the values of others, even when they differ from their own.
- Given an alternative, many thoughtful people choose not to profit from behavior in others that they find unacceptable in themselves.
- It is both prudent and rewarding to reflect personal values in financial decisions.
- Consciously bringing personal values and financial decision-making into alignment is a powerful way to influence others and to encourage behavior that enhances quality of life for all.

Ethical Ideals

Public Good: We actively promote the direct relationship between financial decision-making and the public good. We place the interests of our clients above our own.

Respect: We nurture and maintain a culture of respect in all we do.

Commitment to Quality: We provide high quality investment choices and specialized assistance.

Integrity: We operate in a fiscally and socially responsible manner, proactively promoting ethical behavior among professional peers and within their wider communities.

Professional Conduct

Fiduciary Duty: We accept fiduciary duty when advising clients for a fee. We acknowledge our fiduciary responsibility, adequately explain our compensation structure, and disclose any potential for conflict of interest. We ensure the timely and clear disclosure of relevant information, taking care to ensure that it is accurate, complete, objective, and understood.

Public Awareness: We work to improve public awareness and understanding of sustainable and responsible investing. We work to ensure that the overall promotion of our businesses is implemented in the best interests of the industry and our profession.

Professional Education: We continually work to maintain and improve our professional knowledge and competence. We share information and ideas with colleagues, and assist them in their professional development. We seek, accept, and offer honest criticism of technical work; we acknowledge and correct errors; and we properly credit the contributions of others. We refer our clients to appropriate professionals when their needs go beyond our knowledge and skills.

Respect for Colleagues: We respect the client relationships of other First Affirmative network advisers and do not behave in any way intended to encroach upon these relationships.

Privacy and Confidentiality: We respect the confidentiality of any information acquired in the course of our work, and do not disclose such information to others, except as authorized or when otherwise legally obligated to do so. We do not use confidential information acquired in the course of our work for any personal advantage.

Significant variations from or violations of the values and conduct described above may result in individual sanctions or termination of the relationship between First Affirmative and the adviser in question.

EXHIBIT 3

CERTIFICATION

The individual or institution listed below (the "Plaintiff") authorizes the Rosen Law Firm, P.A. to file an action or amend a current action under the federal securities laws to recover damages and to seek other relief against Municipal Mortgage & Equity, LLC ("MMA"), and certain of its officers and directors. The Rosen Law Firm, P.A. agrees to prosecute the action on a contingent fee basis not to exceed one-third of any recovery and will advance all costs and expenses. Any legal fees and expenses will be determined by, and payable, only upon order of the U.S. District Court.

Plaintiff declares, as to the claims asserted under the federal securities laws, that:

1. I have reviewed the complaint against MMA and certain of its officers and directors and I retain the Rosen Law Firm, P.A., as counsel in this action for all purposes.
2. I did not engage in transactions in the securities that are the subject of this action at the direction of plaintiff's counsel or in order to participate in this or any other litigation under the securities laws of the United States.
3. I am willing to serve as a lead plaintiff either individually or as part of a group. A lead plaintiff is a representative party who acts on behalf of other class members in directing the action, and whose duties may include testifying at deposition and trial.
4. The following is a list of all of the purchases and sales I have made in MMA securities during the class period set forth in the complaint. I have made no transactions during the class period in the debt or equity securities that are the subject of this lawsuit except those set forth below.

Number of Shares Purchased or Sold	Date(s) Purchased	Price Paid Per Share	Date(s) Sold (if applicable)	Price Sold Per Share
<i>See Attached</i>		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$

PLEASE FAX CERTIFICATION TO ROSEN LAW FIRM: (212) 202-3827

5. I have not, within the three years preceding the date of this certification, sought to serve or served as a representative party on behalf of a class in an action involving alleged violations of the federal securities laws, except: for the following company(ies):

6. I will not accept any payment for serving as a representative party beyond my pro rata share of any recovery, except reasonable costs and expenses, such as travel expenses and lost wages directly related to the class representation, as ordered or approved by the court pursuant to law.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of April, 2008.

Tune Bonyor Revocable Trust

Signature: *Daryl Bonyor, TEE and Individually*
 Name: *Daryl Bonyor*
 Address:

Phone:

E-mail:

Item. 4 (continue from prior page if needed)

Number of Shares Purchased or Sold	Date(s) Purchased	Price Paid Per Share	Date(s) Sold (if applicable)	Price Sold Per Share
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$

PLEASE FAX CERTIFICATION TO ROSEN LAW FIRM at (212) 202-3827
 OR MAIL TO:
 THE ROSEN LAW FIRM PA
 350 FIFTH AVENUE, SUITE 5508
 NEW YORK, NY 10118

Purchases

Trade Date	Settlement Date	Shares	Price
4/12/2004	4/15/2004	1,200	\$24.80
4/12/2004	4/15/2004	740	\$24.80
4/12/2004	4/15/2004	815	\$24.80
5/27/2004	6/2/2004	465	\$23.47
7/6/2004	7/9/2004	385	\$23.67
7/8/2004	7/13/2004	415	\$23.70
9/9/2004	9/14/2004	330	\$25.31
12/14/2004	12/17/2004	2,480	\$26.25
2/10/2005	2/15/2005	310	\$26.35
5/20/2005	5/25/2005	340	\$24.54
8/29/2005	9/1/2005	330	\$26.10
10/12/2005	10/17/2005	790	\$24.30
10/12/2005	10/17/2005	200	\$24.35
10/13/2005	10/18/2005	200	\$24.30
1/22/2008	1/25/2008	700	\$14.50
1/22/2008	1/25/2008	5,000	\$14.75
1/22/2008	1/25/2008	3,600	\$15.30
1/24/2008	1/29/2008	200	\$16.95
1/24/2008	1/29/2008	400	\$17.15
1/28/2008	1/31/2008	100	\$16.00

Sales

Trade Date	Settlement Date	Shares	Price
12/14/2007	12/19/2007	3,290	\$14.66
12/14/2007	12/19/2007	1,210	\$14.60
12/14/2007	12/19/2007	4,200	\$14.52
12/14/2007	12/19/2007	200	\$14.54
12/14/2007	12/19/2007	100	\$14.55

EXHIBIT 4

Daryl Bonyor Transaction Analysis										
Purchases				Sales				Price Range on Trade Date		
Trade Date	Settlement	Quantity	Price	Trade Date	Settlement	Quantity	Price	High	Low	Last
4/12/2004	4/15/2004	1,200	(\$24.80)					\$25.49	\$24.60	\$24.84
4/12/2004	4/15/2004	740	(\$24.80)					\$25.49	\$24.60	\$24.84
4/12/2004	4/15/2004	815	(\$24.80)					\$25.49	\$24.60	\$24.84
5/27/2004	6/2/2004	465	(\$23.47)					\$23.57	\$23.00	\$23.29
7/6/2004	7/9/2004	385	(\$23.67)					\$23.87	\$23.46	\$23.84
7/8/2004	7/13/2004	415	(\$23.70)					\$23.99	\$23.60	\$23.75
9/9/2004	9/14/2004	330	(\$25.31)					\$25.35	\$25.04	\$25.10
12/14/2004	12/17/2004	2,480	(\$26.25)					\$26.36	\$26.10	\$26.19
2/10/2005	2/15/2005	310	(\$26.35)					\$26.45	\$26.25	\$26.44
5/20/2005	5/25/2005	340	(\$24.54)					\$24.79	\$24.50	\$24.65
8/29/2005	9/1/2005	330	(\$26.10)					\$26.16	\$25.81	\$25.89
10/12/2005	10/17/2005	790	(\$24.30)					\$24.62	\$24.30	\$24.38
10/12/2005	10/17/2005	200	(\$24.35)					\$24.62	\$24.30	\$24.38
10/13/2005	10/18/2005	200	(\$24.30)					\$24.45	\$24.05	\$24.11
1/22/2008	1/25/2008	700	(\$14.50)					\$15.65	\$14.01	\$15.49
1/22/2008	1/25/2008	5,000	(\$14.75)					\$15.65	\$14.01	\$15.49
1/22/2008	1/25/2008	3,600	(\$15.30)					\$15.65	\$14.01	\$15.49
1/24/2008	1/29/2008	200	(\$16.95)					\$17.25	\$16.62	\$16.73
1/24/2008	1/29/2008	400	(\$17.15)					\$17.25	\$16.62	\$16.73
1/28/2008	1/31/2008	100	(\$16.00)					\$17.20	\$16.00	\$17.20
				12/14/2007	12/19/2007	3,290	\$14.66	\$14.99	\$14.34	\$14.49
				12/14/2007	12/19/2007	1,210	\$14.60	\$14.99	\$14.34	\$14.49
				12/14/2007	12/19/2007	4,200	\$14.52	\$14.99	\$14.34	\$14.49
				12/14/2007	12/19/2007	200	\$14.54	\$14.99	\$14.34	\$14.49
				12/14/2007	12/19/2007	100	\$14.55	\$14.99	\$14.34	\$14.49

MMAB Equity

Date	PX_OPEN	PX_HIGH	PX_LOW	PX_LAST
1/27/2003	23.7	23.9	23.31	23.31
1/28/2003	23.4	24.2	23.25	23.7
1/29/2003	23.7	23.79	23.43	23.44
1/30/2003	23.5	23.73	23.5	23.55
1/31/2003	23.55	23.88	23.55	23.85
2/3/2003	23.85	24.2	23.85	24.13
2/4/2003	24.15	24.15	23.25	23.4
2/5/2003	23.65	24.14	23.5	23.6
2/6/2003	22.9	23.75	22.9	23.66
2/7/2003	23.74	23.76	23.4	23.7
2/10/2003	24.09	24.09	23.6	23.9
2/11/2003	23.8	23.92	23.7	23.9
2/12/2003	23.81	23.9	23.6	23.64
2/13/2003	23.75	23.75	23.3	23.55
2/14/2003	23.5	23.57	23.2	23.4
2/18/2003	23.45	23.49	23.13	23.45
2/19/2003	23.35	23.55	23.26	23.43
2/20/2003	23.49	23.49	23.1	23.15
2/21/2003	23.24	23.45	23.17	23.39
2/24/2003	23.3	23.45	23.16	23.21
2/25/2003	23.26	23.42	23.01	23.22
2/26/2003	23.29	23.49	23.27	23.45
2/27/2003	23.45	23.55	23.41	23.49
2/28/2003	23.59	23.6	23.42	23.54
3/3/2003	23.51	23.7	23.46	23.53
3/4/2003	23.55	23.6	23.4	23.45
3/5/2003	23.7	23.7	23.45	23.65
3/6/2003	23.68	23.7	23.5	23.61
3/7/2003	23.59	23.7	23.58	23.7
3/10/2003	23.74	23.74	23.5	23.56
3/11/2003	23.69	23.69	23.5	23.52
3/12/2003	23.5	23.64	23.16	23.37
3/13/2003	23.25	23.55	23.25	23.35
3/14/2003	23.3	23.64	23.19	23.55
3/17/2003	23.35	23.69	23.35	23.62
3/18/2003	23.51	23.71	23.51	23.66
3/19/2003	23.7	23.78	23.52	23.76
3/20/2003	23.26	23.79	23.26	23.65
3/21/2003	23.7	23.8	23.6	23.8
3/24/2003	23.8	23.8	23.6	23.75
3/25/2003	23.59	24	23.59	23.71
3/26/2003	23.7	23.9	23.52	23.68
3/27/2003	23.63	23.74	23.35	23.64
3/28/2003	23.6	23.74	23.56	23.74
3/31/2003	23.7	23.85	23.57	23.78
4/1/2003	23.53	23.9	23.53	23.8
4/2/2003	23.9	24.05	23.82	23.94
4/3/2003	23.95	24.09	23.82	24
4/4/2003	24.07	24.29	24.07	24.27
4/7/2003	24.22	24.4	24.1	24.29
4/8/2003	24.29	24.43	24.06	24.15
4/9/2003	24.12	24.4	24.12	24.24
4/10/2003	24.35	24.4	24.2	24.37
4/11/2003	24.44	24.48	24.36	24.43
4/14/2003	24.3	24.47	24.18	24.44
4/15/2003	24.47	24.88	24.39	24.85
4/16/2003	24.66	24.8	24.44	24.49
4/17/2003	24.58	24.68	24.45	24.59
4/21/2003	24.6	24.8	24.56	24.63
4/22/2003	24.48	24.6	24.15	24.26
4/23/2003	24.21	24.75	24.21	24.63
4/24/2003	23.75	24.15	23.66	23.67

4/25/2003	23.66	23.88	23.66	23.72
4/28/2003	23.9	24.25	23.85	24.09
4/29/2003	24.08	24.1	23.9	23.91
4/30/2003	24.05	24.05	23.77	23.88
5/1/2003	23.85	23.99	23.8	23.95
5/2/2003	24	24.05	23.88	23.91
5/5/2003	23.9	24.055	23.9	24
5/6/2003	24	24.1	23.9	24.1
5/7/2003	24.09	24.1	23.9	24.1
5/8/2003	24.15	24.16	23.96	24.07
5/9/2003	24.18	24.24	23.99	24.24
5/12/2003	24.44	24.6	24.01	24.15
5/13/2003	24.03	24.4	24.01	24.07
5/14/2003	24.28	24.35	24.05	24.21
5/15/2003	24.15	24.26	24.07	24.26
5/16/2003	24.25	24.55	24.06	24.55
5/19/2003	24.6	24.6	24.27	24.3
5/20/2003	24.4	24.5	24.1	24.43
5/21/2003	24.45	24.71	24.4	24.69
5/22/2003	24.69	24.98	24.68	24.74
5/23/2003	24.8	25	24.77	24.98
5/27/2003	24.99	25.2	24.9	25.15
5/28/2003	25.4	25.6	25.15	25.5
5/29/2003	25.5	25.5	25.2	25.5
5/30/2003	25.73	26.1	25.5	26.1
6/2/2003	26.1	26.17	25.81	25.85
6/3/2003	25.7	26.2	25.7	25.96
6/4/2003	25.71	26.11	25.71	26.08
6/5/2003	26.08	26.25	26	26.15
6/6/2003	26.17	26.24	25.98	26.15
6/9/2003	26.15	26.15	25.75	25.77
6/10/2003	25.95	25.95	25.45	25.69
6/11/2003	25.25	25.64	25.22	25.42
6/12/2003	25.42	25.75	25.4	25.62
6/13/2003	25.5	25.72	25.5	25.7
6/16/2003	25.71	25.71	25.4	25.55
6/17/2003	25.47	25.66	25.46	25.65
6/18/2003	25.65	25.65	25.15	25.55
6/19/2003	25.6	25.7	25.4	25.61
6/20/2003	25.61	25.62	25.38	25.56
6/23/2003	25.7	25.7	25.36	25.38
6/24/2003	25.36	25.53	25.1	25.2
6/25/2003	24.7	25.07	24.5	24.85
6/26/2003	24.97	25.5	24.81	25.1
6/27/2003	25.35	25.44	25.27	25.4
6/30/2003	25.3	25.41	25.25	25.38
7/1/2003	25.13	25.45	25.13	25.39
7/2/2003	25.5	25.5	25.3	25.43
7/3/2003	25.58	25.58	25.25	25.5
7/7/2003	25.9	25.9	25.6	25.65
7/8/2003	25.66	25.7	25.41	25.59
7/9/2003	25.7	25.75	25.55	25.68
7/10/2003	25.62	25.72	25.5	25.6
7/11/2003	25.6	25.75	25.5	25.7
7/14/2003	25.75	25.99	25.68	25.94
7/15/2003	25.9	26	25.65	25.78
7/16/2003	25.9	25.95	25.42	25.63
7/17/2003	25.7	25.73	25.41	25.52
7/18/2003	25.65	25.79	25.5	25.78
7/21/2003	25.8	25.99	25.35	25.96
7/22/2003	25.95	25.99	25.71	25.95
7/23/2003	26	26.05	25.64	26.05
7/24/2003	25.15	25.69	25.15	25.15
7/25/2003	25.3	25.45	25.28	25.32

7/28/2003	25.32	25.46	25.02	25.16
7/29/2003	25.11	25.19	24.99	24.99
7/30/2003	25	25.13	24.75	24.87
7/31/2003	24.9	24.9	24.5	24.5
8/1/2003	24.6	24.6	23.75	23.8
8/4/2003	23.8	23.85	23.25	23.7
8/5/2003	23.6	23.84	23.45	23.7
8/6/2003	23.8	24.22	23.53	24.15
8/7/2003	24.2	24.25	23.86	24.15
8/8/2003	24.3	24.55	24.25	24.55
8/11/2003	24.95	24.95	23.85	23.99
8/12/2003	23.99	24.25	23.9	24.22
8/13/2003	24.15	24.5	24.1	24.34
8/14/2003	24.15	24.59	24.15	24.42
8/15/2003	24.42	24.58	24.42	24.52
8/18/2003	24.5	24.79	24.5	24.6
8/19/2003	24.54	24.68	24.3	24.38
8/20/2003	24.35	24.63	24.3	24.6
8/21/2003	24.3	24.44	24.25	24.25
8/22/2003	24.25	24.32	24.04	24.05
8/25/2003	24.1	24.5	24.01	24.39
8/26/2003	24.5	24.5	24.18	24.2
8/27/2003	24.12	24.28	24	24
8/28/2003	23.95	24.09	23.89	23.89
8/29/2003	23.9	23.9	23.5	23.5
9/2/2003	23.51	23.84	23.4	23.82
9/3/2003	23.7	24.04	23.7	24.01
9/4/2003	24.05	24.14	23.93	24.11
9/5/2003	24.11	24.25	24.04	24.05
9/8/2003	24.02	24.3	24.01	24.3
9/9/2003	24.21	24.45	24.21	24.34
9/10/2003	24.38	24.39	24.08	24.13
9/11/2003	24.13	24.22	24.08	24.15
9/12/2003	24.13	24.3	24.06	24.11
9/15/2003	24.11	24.3	24.05	24.06
9/16/2003	24.15	24.27	24.08	24.1
9/17/2003	24.15	24.31	24.12	24.18
9/18/2003	24.15	24.3	24.06	24.25
9/19/2003	24.39	24.45	24.28	24.3
9/22/2003	24.3	24.43	24.2	24.4
9/23/2003	24.32	24.49	24.3	24.38
9/24/2003	24.4	24.41	24.16	24.25
9/25/2003	24.27	24.34	24.24	24.29
9/26/2003	24.25	24.34	24.2	24.22
9/29/2003	24.2	24.43	24.2	24.4
9/30/2003	24.55	24.7	24.36	24.52
10/1/2003	24.6	24.73	24.49	24.7
10/2/2003	24.61	24.71	24.45	24.71
10/3/2003	24.68	24.74	24.53	24.65
10/6/2003	24.62	24.94	24.6	24.8
10/7/2003	24.65	24.7	24.02	24.02
10/8/2003	24.02	24.51	23.75	24.4
10/9/2003	24	24.44	24	24.4
10/10/2003	24.41	24.41	24.15	24.38
10/13/2003	24.25	24.4	24.21	24.31
10/14/2003	24.31	24.4	24.2	24.3
10/15/2003	24.39	24.39	24.2	24.3
10/16/2003	24.2	24.3	24.11	24.29
10/17/2003	24.32	24.32	24.15	24.17
10/20/2003	24.15	24.31	24.15	24.22
10/21/2003	24.23	24.33	24.21	24.31
10/22/2003	24.3	24.4	24.15	24.32
10/23/2003	23.92	24	23.9	23.91
10/24/2003	23.95	23.95	23.74	23.81

10/27/2003	23.89	23.89	23.71	23.77
10/28/2003	23.8	23.95	23.7	23.93
10/29/2003	23.99	24	23.87	23.9
10/30/2003	23.91	23.94	23.76	23.81
10/31/2003	23.72	23.82	23.67	23.76
11/3/2003	23.76	23.99	23.72	23.95
11/4/2003	23.98	24.02	23.89	24
11/5/2003	24	24.05	23.75	23.93
11/6/2003	23.99	24	23.8	23.9
11/7/2003	23.99	24.18	23.91	24.15
11/10/2003	24.37	24.37	24	24.1
11/11/2003	23.95	24.09	23.82	23.83
11/12/2003	23.85	23.97	23.8	23.9
11/13/2003	23.9	23.95	23.81	23.9
11/14/2003	23.84	23.9	23.78	23.8
11/17/2003	23.8	23.8	23.66	23.7
11/18/2003	23.7	23.85	23.6	23.85
11/19/2003	24	24	23.65	23.9
11/20/2003	23.97	23.97	23.71	23.75
11/21/2003	23.7	23.89	23.63	23.8
11/24/2003	23.87	23.91	23.65	23.82
11/25/2003	23.88	24.05	23.88	23.97
11/26/2003	23.97	24.17	23.96	24.11
11/28/2003	24	24.19	23.91	24.04
12/1/2003	24	24.24	24	24.08
12/2/2003	24.1	24.19	24	24.15
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12/5/2003	24.14	24.19	23.91	24.02
12/8/2003	24.2	24.29	24.05	24.2
12/9/2003	24.2	24.25	24	24.12
12/10/2003	24.22	24.23	23.9	23.99
12/11/2003	24.1	24.1	23.9	23.97
12/12/2003	23.99	24.25	23.99	24.19
12/15/2003	24.19	24.24	24.04	24.13
12/16/2003	24.1	24.2	24	24.14
12/17/2003	24.14	24.25	24.1	24.25
12/18/2003	24.27	24.27	24.13	24.17
12/19/2003	24.22	24.24	24.13	24.24
12/22/2003	24.15	24.25	24.12	24.25
12/23/2003	24.15	24.3	24.15	24.3
12/24/2003	24.25	24.35	24.25	24.35
12/26/2003	24.35	24.44	24.3	24.42
12/29/2003	24.44	24.52	24.38	24.44
12/30/2003	24.55	24.75	24.51	24.6
12/31/2003	24.6	24.75	24.48	24.75
1/2/2004	24.8	24.84	24.5	24.6
1/5/2004	24.6	24.79	24.53	24.77
1/6/2004	24.57	24.75	24.53	24.63
1/7/2004	24.52	24.85	24.52	24.78
1/8/2004	24.83	24.99	24.76	24.89
1/9/2004	24.95	25.16	24.88	24.96
1/12/2004	24.91	25.1	24.9	25.09
1/13/2004	25.05	25.17	24.8	25.08
1/14/2004	25.18	25.3	25.15	25.28
1/15/2004	25.25	25.25	25.11	25.24
1/16/2004	25.12	25.45	25.12	25.37
1/20/2004	25.45	25.5	25.3	25.4
1/21/2004	25.4	25.7	25.39	25.65
1/22/2004	25.25	25.43	25.08	25.32
1/23/2004	25.37	25.4	25.15	25.37
1/26/2004	25.4	25.65	25.38	25.47
1/27/2004	25.4	25.49	25.21	25.3
1/28/2004	25.47	25.58	25.26	25.27

1/29/2004	25.24	25.44	24.95	25
1/30/2004	25	25.25	24.99	25.23
2/2/2004	25.1	25.57	25.1	25.48
2/3/2004	25.6	25.75	25.58	25.63
2/4/2004	25.61	25.74	25.4	25.49
2/5/2004	25.59	25.67	25.41	25.58
2/6/2004	25.68	25.77	25.52	25.73
2/9/2004	25.95	25.99	25.5	25.58
2/10/2004	25.58	25.6	25.44	25.44
2/11/2004	25.58	25.75	25.45	25.7
2/12/2004	25.7	25.74	25.56	25.61
2/13/2004	25.61	25.7	25.6	25.6
2/17/2004	25.52	25.75	25.5	25.58
2/18/2004	25.59	25.85	25.58	25.8
2/19/2004	25.87	26	25.8	26
2/20/2004	26	26.08	25.8	25.97
2/23/2004	25.9	26.05	25.8	25.93
2/24/2004	26	26.1	25.65	25.94
2/25/2004	25.8	26.09	25.78	26.05
2/26/2004	26.01	26.19	25.85	25.96
2/27/2004	26	26.19	25.8	25.99
3/1/2004	26.15	26.44	25.97	26.11
3/2/2004	26.22	26.25	23	25.8
3/3/2004	25.4	25.54	25.31	25.54
3/4/2004	25.55	25.55	25.41	25.5
3/5/2004	25.52	25.57	25.42	25.55
3/8/2004	25.55	25.65	25.46	25.65
3/9/2004	25.62	25.62	25.37	25.5
3/10/2004	25.53	25.53	25.31	25.35
3/11/2004	25.3	25.4	25.03	25.03
3/12/2004	25.25	25.52	25.1	25.35
3/15/2004	25.4	25.41	25.18	25.25
3/16/2004	25.26	25.44	25.13	25.2
3/17/2004	25.2	25.54	25.15	25.25
3/18/2004	25.35	25.45	25.2	25.27
3/19/2004	25.45	25.55	25.2	25.54
3/22/2004	25.54	25.55	25.3	25.51
3/23/2004	25.5	25.63	25.5	25.55
3/24/2004	25.59	25.65	25.49	25.56
3/25/2004	25.58	25.58	25.32	25.45
3/26/2004	25.6	25.62	25.44	25.58
3/29/2004	25.6	25.65	25.43	25.6
3/30/2004	25.64	25.65	25.5	25.5
3/31/2004	25.58	25.75	25.37	25.68
4/1/2004	25.68	25.79	25.6	25.74
4/2/2004	25.79	25.8	25.67	25.74
4/5/2004	25.78	25.78	25.02	25.27
4/6/2004	25.65	25.65	24.52	25
4/7/2004	24.75	25.2	24.7	25.1
4/8/2004	25.45	25.49	25.18	25.39
4/12/2004	25.49	25.49	24.6	24.84
4/13/2004	24.84	25	24.12	24.13
4/14/2004	23.96	23.96	23	23.6
4/15/2004	23.5	23.74	23.31	23.7
4/16/2004	23.55	23.85	23.3	23.85
4/19/2004	23.85	24.6	23.7	24
4/20/2004	23.98	24.3	23.72	23.81
4/21/2004	23.8	24.05	22.9	23.88
4/22/2004	23.75	24.06	23.55	24.01
4/23/2004	24	24.16	23.73	24.03
4/26/2004	24.01	24.48	24.01	24.28
4/27/2004	24.35	24.62	24.32	24.4
4/28/2004	24.55	24.6	24.27	24.3
4/29/2004	24.04	24.1	23.51	23.6

4/30/2004	23.68	23.88	23.5	23.61
5/3/2004	23.61	24.01	23.61	23.78
5/4/2004	24	24	23.68	23.88
5/5/2004	23.98	24.06	23.85	23.92
5/6/2004	23.88	23.97	23.67	23.88
5/7/2004	23.81	23.83	23.66	23.75
5/10/2004	23.59	23.59	20.73	22.41
5/11/2004	22.4	23.2	22.35	23.1
5/12/2004	23.1	23.24	22.75	23.1
5/13/2004	23.05	23.38	23.05	23.24
5/14/2004	23.15	23.45	23.14	23.41
5/17/2004	23.5	23.7	23.3	23.52
5/18/2004	23.77	23.77	23.37	23.4
5/19/2004	23.6	23.6	23.02	23.1
5/20/2004	23.07	23.3	22.83	23.23
5/21/2004	23.21	23.6	23.21	23.36
5/24/2004	23.42	23.5	23.1	23.34
5/25/2004	23.34	23.35	23.1	23.34
5/26/2004	23.34	23.5	23.17	23.5
5/27/2004	23.4	23.57	23	23.29
5/28/2004	23.5	23.5	23.32	23.49
6/1/2004	23.55	23.55	23.15	23.34
6/2/2004	23.4	23.5	23.2	23.26
6/3/2004	23.1	23.3	23.01	23.14
6/4/2004	23.04	23.3	23.04	23.09
6/7/2004	23.15	23.26	22.6	23
6/8/2004	22.96	23.5	22.96	23.41
6/9/2004	23.36	23.41	22.74	23.11
6/10/2004	22.9	23.24	22.88	23.23
6/14/2004	23.25	23.35	22.65	22.7
6/15/2004	22.55	23.11	22.52	22.96
6/16/2004	22.91	23.13	22.91	23.05
6/17/2004	22.97	23.3	22.88	23.16
6/18/2004	23.06	23.39	23.06	23.17
6/21/2004	22.95	23.49	22.95	23.24
6/22/2004	23.33	23.6	23.16	23.4
6/23/2004	23.5	23.6	23.08	23.3
6/24/2004	23.15	23.63	23.15	23.41
6/25/2004	23.7	23.7	23.33	23.39
6/28/2004	23.25	23.59	23.25	23.38
6/29/2004	23.35	23.5	23.25	23.45
6/30/2004	23.48	23.5	23.2	23.32
7/1/2004	23.42	23.49	23.2	23.35
7/2/2004	23.47	23.5	23.4	23.47
7/6/2004	23.5	23.87	23.46	23.84
7/7/2004	23.94	23.99	23.68	23.8
7/8/2004	23.76	23.99	23.6	23.75
7/9/2004	23.95	24	23.76	23.86
7/12/2004	23.76	24.05	23.75	24.05
7/13/2004	24.07	24.23	23.85	23.98
7/14/2004	23.94	24.01	23.83	23.94
7/15/2004	24.05	24.14	23.78	23.9
7/16/2004	24	24.08	23.9	23.99
7/19/2004	23.98	24.1	23.89	24.01
7/20/2004	24.05	24.07	23.898	24.03
7/21/2004	23.99	24.09	23.8	23.86
7/22/2004	23.92	24.1	23.76	24.004
7/23/2004	24.06	24.25	24.01	24.17
7/26/2004	24.1	24.14	23.96	24
7/27/2004	24.05	24.07	23.9	23.9
7/28/2004	24	24.03	23.77	24.01
7/29/2004	23.56	23.75	23.46	23.7
7/30/2004	23.77	23.77	23.5	23.56
8/2/2004	23.7	23.76	23.44	23.76

8/3/2004	23.72	24.2	23.62	23.95
8/4/2004	23.83	24	23.51	23.65
8/5/2004	23.74	24.22	23.74	24.19
8/6/2004	24.15	24.15	23.78	23.99
8/9/2004	24	24.05	23.4	23.4
8/10/2004	23.55	24.2	23.47	23.99
8/11/2004	24	24.15	23.9	24
8/12/2004	24.25	24.25	24.01	24.1
8/13/2004	24.35	24.35	24	24.1
8/16/2004	24.55	24.55	24.19	24.35
8/17/2004	24.2	24.38	24.03	24.32
8/18/2004	24.33	24.59	24.2	24.47
8/19/2004	24.55	24.6	24.23	24.52
8/20/2004	24.56	24.59	24.3	24.51
8/23/2004	24.37	24.58	24.3	24.34
8/24/2004	24.5	24.56	24.32	24.39
8/25/2004	24.39	24.55	24.27	24.44
8/26/2004	24.5	24.92	24.42	24.84
8/27/2004	24.88	24.88	24.66	24.79
8/30/2004	24.89	24.93	24.75	24.75
8/31/2004	24.89	24.97	24.75	24.9
9/1/2004	24.97	25	24.9	24.98
9/2/2004	25.01	25.01	24.8	24.92
9/3/2004	24.85	25	24.85	25
9/7/2004	25	25.26	25	25.26
9/8/2004	25.26	25.35	25.05	25.25
9/9/2004	25.31	25.35	25.04	25.1
9/10/2004	25.32	25.32	25.02	25.15
9/13/2004	25.15	25.26	25.06	25.14
9/14/2004	25.3	25.32	24.93	25
9/15/2004	25	25.27	24.96	24.97
9/16/2004	24.95	25.09	24.92	25
9/17/2004	25	25.1	24.85	25.02
9/20/2004	24.87	25.24	24.77	24.95
9/21/2004	24.95	25.1	24.8	25.09
9/22/2004	25.1	25.21	24.87	25
9/23/2004	25	25.32	24.91	25.17
9/24/2004	25.25	25.3	25.01	25.1
9/27/2004	25.2	25.23	25.02	25.16
9/28/2004	25.23	25.3	25.17	25.18
9/29/2004	25.3	25.35	25.11	25.26
9/30/2004	25.26	25.3	25.03	25.22
10/1/2004	25.24	25.3	25.15	25.28
10/4/2004	25.25	25.59	25.03	25.1
10/5/2004	25.3	25.69	25.3	25.54
10/6/2004	25.54	25.73	25.35	25.65
10/7/2004	25.73	25.8	25.32	25.48
10/8/2004	25.4	25.69	25.4	25.49
10/11/2004	25.46	25.7	25.46	25.58
10/12/2004	25.7	25.8	25.4	25.77
10/13/2004	25.79	25.83	25.6	25.79
10/14/2004	25.69	25.8	25.5	25.72
10/15/2004	25.81	25.83	25.76	25.79
10/18/2004	25.63	25.83	25.52	25.83
10/19/2004	25.73	25.89	25.71	25.82
10/20/2004	25.87	25.9	25.63	25.81
10/21/2004	25.71	25.92	25.54	25.84
10/22/2004	25.88	25.98	25.81	25.94
10/25/2004	25.97	25.97	25.66	25.92
10/26/2004	25.89	25.98	25.8	25.97
10/27/2004	25.98	26.05	25.75	26.05
10/28/2004	25.52	25.6	25.46	25.54
10/29/2004	25.6	25.64	25.4	25.55
11/1/2004	25.46	25.65	25.46	25.52

11/2/2004	25.5	25.75	25.5	25.55
11/3/2004	25.52	25.8	25.52	25.8
11/4/2004	25.78	25.92	25.52	25.92
11/5/2004	25.9	25.94	25.63	25.69
11/8/2004	25.85	25.85	25.5	25.65
11/9/2004	25.85	25.88	25.6	25.64
11/10/2004	25.58	25.7	25.5	25.62
11/11/2004	25.7	25.8	25.59	25.64
11/12/2004	25.85	25.85	25.56	25.75
11/15/2004	26	26.04	25.65	26.03
11/16/2004	26	26.1	25.78	26
11/17/2004	25.85	26.17	25.85	26.07
11/18/2004	26.15	26.23	26.05	26.08
11/19/2004	26.2	26.2	25.87	25.99
11/22/2004	26.13	26.14	25.89	26.04
11/23/2004	25.71	26.32	25.71	26.06
11/24/2004	26	26.4	26	26.4
11/26/2004	26.15	26.45	26.15	26.41
11/29/2004	26.4	26.49	26.34	26.35
11/30/2004	26.2	26.49	26.2	26.48
12/1/2004	26.12	26.48	26.12	26.42
12/2/2004	26.35	26.41	26.07	26.19
12/3/2004	25.95	26.32	25.95	26.32
12/6/2004	26.25	26.36	26	26.15
12/7/2004	26.11	26.16	25.88	26.04
12/8/2004	26.05	26.17	25.95	25.95
12/9/2004	26.05	26.25	25.96	26.03
12/10/2004	26.04	26.28	25.96	26.14
12/13/2004	26.14	26.36	26.08	26.3
12/14/2004	26.13	26.36	26.1	26.19
12/15/2004	26.34	26.44	26	26.31
12/16/2004	26.3	26.44	26.27	26.41
12/17/2004	26.21	26.44	26.1	26.44
12/20/2004	26.34	26.45	26.31	26.45
12/21/2004	26.48	26.5	26.1	26.45
12/22/2004	26.5	26.87	26.38	26.6
12/23/2004	26.75	26.83	26.59	26.73
12/27/2004	26.85	27	26.7	26.99
12/28/2004	26.92	26.99	26.7	26.87
12/29/2004	26.97	27.3	26.85	27.06
12/30/2004	27.06	27.27	26.95	27.13
12/31/2004	27.23	27.4	26.88	27.21
1/3/2005	27	27	26.4	26.67
1/4/2005	26.7	27	26.5	26.6
1/5/2005	26.6	26.6	25.86	25.92
1/6/2005	25.76	26.65	25.76	26.47
1/7/2005	26.5	26.8	26.09	26.16
1/10/2005	26.4	26.58	26.24	26.46
1/11/2005	26.6	26.62	26.02	26.37
1/12/2005	26.25	26.32	26.04	26.21
1/13/2005	26.17	26.27	26.05	26.06
1/14/2005	26.16	26.34	26.12	26.3
1/18/2005	26.75	26.8	26.3	26.59
1/19/2005	26.75	26.88	26.45	26.52
1/20/2005	26.52	26.7	26.37	26.54
1/21/2005	26.85	26.88	26.55	26.83
1/24/2005	26.89	26.99	26.78	26.85
1/25/2005	26.98	27.23	26.82	26.85
1/26/2005	26.8	27.08	26.8	26.92
1/27/2005	26.22	26.65	26.2	26.52
1/28/2005	26.56	26.94	26.56	26.77
1/31/2005	26.94	27.3	26.87	27.2
2/1/2005	27.05	27.39	27.05	27.36
2/2/2005	27.12	27.28	26.5	26.51

2/3/2005	26.3	26.38	26.1	26.25
2/4/2005	26.25	26.34	26.25	26.29
2/7/2005	26.34	26.4	26.25	26.4
2/8/2005	26.5	26.5	26.05	26.15
2/9/2005	26.25	26.35	26.25	26.25
2/10/2005	26.26	26.45	26.25	26.44
2/11/2005	26.49	26.5	26.38	26.5
2/14/2005	26.52	26.52	26.35	26.5
2/15/2005	26.51	26.52	26.16	26.27
2/16/2005	26.49	26.49	26.2	26.4
2/17/2005	26.35	26.48	26.23	26.3
2/18/2005	26.44	26.44	25.96	26.08
2/22/2005	25.9	26.07	25.6	25.66
2/23/2005	25.72	25.79	25.53	25.7
2/24/2005	25.8	25.8	25.3	25.48
2/25/2005	25.58	25.58	25.3	25.5
2/28/2005	25.45	25.47	25.28	25.32
3/1/2005	25.3	25.49	25	25.3
3/2/2005	25.45	25.5	25.26	25.3
3/3/2005	25.25	25.71	25.1	25.61
3/4/2005	25.7	26	25.65	25.87
3/7/2005	25.69	25.98	25.56	25.8
3/8/2005	25.82	25.83	25.57	25.65
3/9/2005	25.58	25.64	25.5	25.53
3/10/2005	25.5	25.68	25.3	25.33
3/11/2005	25.3	25.33	24.96	25.04
3/14/2005	24.98	25.2	24.4	24.46
3/15/2005	24.5	25	24.5	24.55
3/16/2005	24.5	24.64	23.6	23.97
3/17/2005	24	24.55	24	24.55
3/18/2005	24.3	24.54	24.01	24.01
3/21/2005	24.5	24.7	24.07	24.5
3/22/2005	24.56	24.7	24.51	24.58
3/23/2005	24.6	24.63	24.1	24.2
3/24/2005	24.12	24.65	24.1	24.54
3/28/2005	24.78	24.8	24.55	24.69
3/29/2005	24.78	24.8	24.5	24.6
3/30/2005	24.5	24.66	24.16	24.45
3/31/2005	24.5	24.64	24.34	24.34
4/1/2005	24.35	24.53	24.31	24.39
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4/7/2005	24.23	24.23	24.03	24.15
4/8/2005	24.11	24.16	23.65	23.83
4/11/2005	23.75	24	23.66	23.98
4/12/2005	23.84	24.09	23.75	23.99
4/13/2005	23.99	23.99	23.75	23.8
4/14/2005	23.9	23.94	23.7	23.78
4/15/2005	23.77	23.81	23.31	23.65
4/18/2005	23.6	23.9	23.3	23.69
4/19/2005	23.5	23.9	23.5	23.69
4/20/2005	23.69	23.79	23.52	23.78
4/21/2005	23.78	23.86	23.67	23.74
4/22/2005	23.83	24	23.6	23.73
4/25/2005	23.98	24.35	23.8	24.13
4/26/2005	24.15	24.48	24.15	24.35
4/27/2005	24.25	24.72	24.2	24.55
4/28/2005	24.2	24.2	23.7	24.14
4/29/2005	24.3	24.34	23.85	24.04
5/2/2005	24.2	24.45	23.82	23.94
5/3/2005	23.8	24.18	23.8	23.98
5/4/2005	23.9	24	23.85	23.99
5/5/2005	23.99	24.06	23.9	24.06

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5/9/2005	24.18	24.2	23.9	24.12
5/10/2005	24.15	24.35	23.91	24.17
5/11/2005	24.12	24.3	23.99	24.13
5/12/2005	24.05	24.29	23.9	23.97
5/13/2005	24.22	24.36	24.03	24.09
5/16/2005	24.34	24.5	24.19	24.37
5/17/2005	24.34	24.5	24.14	24.46
5/18/2005	24.49	24.78	24.45	24.73
5/19/2005	24.63	24.8	24.5	24.74
5/20/2005	24.75	24.79	24.5	24.65
5/23/2005	24.75	24.83	24.52	24.75
5/24/2005	24.8	24.9	24.64	24.89
5/25/2005	24.89	24.89	24.67	24.76
5/26/2005	24.76	24.89	24.59219	24.79
5/27/2005	24.85	24.88	24.68	24.79
5/31/2005	24.87	24.9	24.72	24.87
6/1/2005	24.95	25	24.75	24.82
6/2/2005	24.97	25.09	24.81	25.08
6/3/2005	25.08	25.22	25	25.02
6/6/2005	25.21	25.5	25.04	25.32
6/7/2005	25.31	25.59	25.26	25.37
6/8/2005	25.32	25.73	25.32	25.58
6/9/2005	25.46	25.65	25.25	25.47
6/10/2005	25.5	25.7	25.37	25.7
6/13/2005	25.73	25.74	25.6	25.74
6/14/2005	25.74	25.87	25.6	25.8
6/15/2005	25.77	25.82	25.56	25.7
6/16/2005	25.65	25.99	25.56	25.99
6/17/2005	25.83	25.99	25.7	25.92
6/20/2005	26	26	25.74	25.81
6/21/2005	25.81	25.999	25.7	25.8
6/22/2005	25.8	25.98	25.75	25.9
6/23/2005	25.9	25.98	25.69	25.9
6/24/2005	25.93	25.97	25.65	25.73
6/27/2005	25.85	25.9	25.5	25.83
6/28/2005	25.9	25.98	25.85	25.97
6/29/2005	25.97	25.99	25.76	25.94
6/30/2005	25.95	26	25.9	25.99
7/1/2005	25.91	26	25.8	25.95
7/5/2005	25.9	26.24	25.85	26.24
7/6/2005	26.1	26.49	26.01	26.39
7/7/2005	26.39	26.48	26.2	26.48
7/8/2005	26.48	26.54	26.4	26.48
7/11/2005	26.51	26.56	26.4	26.5
7/12/2005	26.55	26.56	26.39	26.47
7/13/2005	26.48	26.65	26.42	26.63
7/14/2005	26.63	26.63	26.39	26.47
7/15/2005	26.47	26.64	26.45	26.6
7/18/2005	26.65	26.65	26.5	26.54
7/19/2005	26.56	26.7	26.45	26.66
7/20/2005	26.58	26.77	26.5	26.73
7/21/2005	26.58	26.7	26.4	26.45
7/22/2005	26.54	26.7	26.52	26.63
7/25/2005	26.63	26.74	26.62	26.7
7/26/2005	26.75	26.95	26.53	26.86
7/27/2005	26.8	26.9	26.53	26.82
7/28/2005	26.45	26.75	26.04	26.34
7/29/2005	26.72	26.9	26.26	26.45
8/1/2005	26.62	26.74	26.49	26.67
8/2/2005	26.73	26.73	26.3	26.45
8/3/2005	26.7	26.84	26.48	26.76
8/4/2005	26.76	26.83	26.4	26.41
8/5/2005	26.46	26.55	26.07	26.38

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8/12/2005	26.39	26.4	26.27	26.4
8/15/2005	26.63	26.75	26.48	26.65
8/16/2005	26.65	26.7	26.42	26.54
8/17/2005	26.56	26.6	26.38	26.4
8/18/2005	26.35	26.5	26.29	26.49
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8/22/2005	25.98	26.3	25.89	26.3
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8/24/2005	26.22	26.35	26.06	26.25
8/25/2005	26.25	26.35	26.12	26.25
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8/29/2005	26.09	26.16	25.81	25.89
8/30/2005	25.9	25.9	25.7	25.77
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9/1/2005	25.9	26.41	25.78	26.41
9/2/2005	26.39	26.49	26.14	26.45
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9/8/2005	26.44	26.45	26.26	26.44
9/9/2005	26.44	26.51	26.36	26.47
9/12/2005	26.42	26.59	26.36	26.49
9/13/2005	26.74	26.74	26.35	26.45
9/14/2005	26.6	26.6	26.18	26.4
9/15/2005	26.4	26.41	25.9	26.09
9/16/2005	26.13	26.13	25.78	26.01
9/19/2005	25.79	25.88	25.12	25.31
9/20/2005	25.5	25.8	25.35	25.45
9/21/2005	25.45	25.46	25.01	25.2
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9/26/2005	24.84	25.65	24.8	25.2
9/27/2005	25.13	25.17	24.7	24.82
9/28/2005	24.83	25	24.66	24.75
9/29/2005	24.73	25.09	24.35	24.87
9/30/2005	24.8	25.18	24.79	24.97
10/3/2005	24.75	24.78	24.34	24.49
10/4/2005	24.42	25.04	24.42	24.87
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10/6/2005	24.7	24.8	24.1	24.12
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10/14/2005	24.31	24.6	24.12	24.47
10/17/2005	24.4	24.92	24.4	24.53
10/18/2005	24.51	24.83	24.5	24.63
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10/21/2005	24.6	24.6	24.23	24.48
10/24/2005	24.46	24.8	24.4	24.75
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10/27/2005	24.15	24.6	24.03	24.27
10/28/2005	24.4	24.7	24.32	24.45
10/31/2005	24.9	24.98	24.57	24.86
11/1/2005	24.85	24.85	24.19	24.25
11/2/2005	24.26	24.34	23.5	24.25
11/3/2005	24.24	24.28	23.9	24.06
11/4/2005	24.14	24.14	23.88	24.01

11/7/2005	23.98	24.25	23.85	24.22
11/8/2005	24.42	24.5	24.23	24.49
11/9/2005	24.5	24.68	24.141	24.64
11/10/2005	24.69	24.75	24.25	24.71
11/11/2005	24.51	24.98	24.51	24.98
11/14/2005	25.5	25.5	25.13	25.28
11/15/2005	25.21	25.34	25	25.23
11/16/2005	25.23	25.3	24.93	24.95
11/17/2005	24.99	25.35	24.8	25.28
11/18/2005	25.32	25.32	24.85	24.9
11/21/2005	24.94	25.23	24.85	25.15
11/22/2005	25.09	25.47	25	25.35
11/23/2005	25.36	25.46	25.16	25.23
11/25/2005	25.28	25.39	25.18	25.39
11/28/2005	25.1	25.4	25	25.38
11/29/2005	25.35	25.45	25.101	25.29
11/30/2005	25.37	25.47	25.19	25.33
12/1/2005	25.22	25.5	25.22	25.41
12/2/2005	25.44	25.6	25.37	25.6
12/5/2005	25.6	25.6	25.3	25.49
12/6/2005	25.59	25.95	25.50013	25.61
12/7/2005	25.6	25.94	25.52	25.65
12/8/2005	25.65	25.8	25.25	25.32
12/9/2005	25.32	25.44	25.15	25.22
12/12/2005	25.35	25.63	25.25	25.4
12/13/2005	25.4	25.64	25.34	25.53
12/14/2005	25.65	25.95	25.54	25.95
12/15/2005	25.85	25.98	25.56	25.92
12/16/2005	25.75	25.9	25.55	25.9
12/19/2005	25.54	25.88	25.54	25.85
12/20/2005	25.75	25.8	25.46	25.51
12/21/2005	25.75	25.78	25.51	25.65
12/22/2005	25.5	25.74	25.38	25.68
12/23/2005	25.65	25.72	25.32	25.63988
12/27/2005	25.7	25.95	25.66	25.8
12/28/2005	25.75	26	25.66	25.98
12/29/2005	26	26	25.71	25.8905
12/30/2005	25.85	25.93	25.68	25.83
1/3/2006	25.85	26.2	25.85	26.15
1/4/2006	26.28	26.34	26.05	26.15
1/5/2006	26.3	26.4	26.01	26.4
1/6/2006	26.4	26.45	26.05	26.45
1/9/2006	26.6	26.62	26.24	26.58
1/10/2006	26.61	26.74	26.44	26.6
1/11/2006	26.45	26.75	26.45	26.51
1/12/2006	26.47	26.7	26.19	26.27
1/13/2006	26.57	26.74988	26.4	26.65
1/17/2006	26.65	26.85	26.65	26.7
1/18/2006	26.8	26.84	26.66	26.82
1/19/2006	26.67	26.9	26.67	26.83
1/20/2006	26.66	26.99	26.66	26.97
1/23/2006	26.72	26.99	26.67	26.88
1/24/2006	26.88	26.99	26.75013	26.9
1/25/2006	26.9	27	26.82	26.98
1/26/2006	26.7	26.99	26.53	26.55
1/27/2006	26.65	26.73	26.35	26.5
1/30/2006	26.5	26.7	26.3	26.49
1/31/2006	26.35	26.69	26.15	26.21
2/1/2006	26.05	26.47	26.05	26.35
2/2/2006	26.3	26.4	26.11	26.21
2/3/2006	26.46	26.7	26.28	26.49
2/6/2006	26.65	26.65	26.14	26.4
2/7/2006	26.25	26.65	26.25	26.58
2/8/2006	26.58	26.9	26.52	26.67

2/9/2006	26.9	26.94	26.68	26.85
2/10/2006	26.91	26.93	26.66	26.93
2/13/2006	27.15	27.25	26.91	27.16
2/14/2006	27.18	27.41	27.02	27.25
2/15/2006	27.42	27.42	27.02	27.19
2/16/2006	27.2	27.35	27.03	27.35
2/17/2006	27.2	27.36	27.05	27.2
2/21/2006	27	27.31	26.93	27.23
2/22/2006	27.23	27.32	27.12	27.29
2/23/2006	27.27	27.49	27.23	27.26
2/24/2006	27.45	27.5	27.2	27.29
2/27/2006	27.29	27.44	27.06	27.30988
2/28/2006	27.35	27.43	26.92	27.11
3/1/2006	27.1	27.29	26.93	27.25
3/2/2006	26.97	27.08	26.55	26.77
3/3/2006	26.77	27.04	26.558	26.75
3/6/2006	26.79	26.86	26.50013	26.62
3/7/2006	26.37	26.87	26	26.54
3/8/2006	26.49	26.8	26.11	26.4
3/9/2006	26.61	27	26.26	26.88
3/10/2006	26.77	27	26.38	26.85
3/13/2006	26.5	27.09	26.42	26.77
3/14/2006	26.81	27.08	25.9	27.06
3/15/2006	27	27	26.5	26.67
3/16/2006	26.42	26.74988	26.4	26.5
3/17/2006	26.6	26.68	26.41	26.62
3/20/2006	26.5	26.96	26.5	26.53
3/21/2006	26.5	26.66	26.05	26.35
3/22/2006	26.7	27	26.3	26.89
3/23/2006	26.6	26.99	26.6	26.98
3/24/2006	26.9	26.9	26.65	26.81
3/27/2006	26.78	26.88	26.62	26.78
3/28/2006	26.76	26.9	26.65	26.85
3/29/2006	26.88	27.11	26.6	26.64013
3/30/2006	26.74	26.74	26.37	26.6
3/31/2006	26.69	26.7	26.39013	26.5
4/3/2006	26.5	26.65	26.22	26.46
4/4/2006	26.68	26.92	26.37	26.71
4/5/2006	26.61	27	26.61	26.7
4/6/2006	26.7	26.84	26.5	26.5
4/7/2006	26.4	26.57	26.00013	26.23
4/10/2006	26.48	26.62	26.2	26.35
4/11/2006	26.5	26.58	25.61	25.75
4/12/2006	25.75	26.5	25.75	26.39
4/13/2006	26.35	26.62	26.3	26.41
4/17/2006	26.5	26.6	26.3	26.39
4/18/2006	26.61	26.61	26.1	26.24
4/19/2006	26.62	26.62	26.2	26.56
4/20/2006	26.63	27	26.47	26.9
4/21/2006	26.95	26.96	26.5	26.9
4/24/2006	26.8	26.95	26.58	26.8
4/25/2006	26.7	26.9	26.61	26.8
4/26/2006	26.86	27.25	26.78	27.1
4/27/2006	27	27.25	26.95	27.15
4/28/2006	27.2	27.29	27	27.11
5/1/2006	27.3	27.35	26.75	27.35
5/2/2006	27.22	27.48	26.85	26.99
5/3/2006	26.95	27.1	26.65	26.95
5/4/2006	26.95	27.1	26.75	26.98
5/5/2006	27.08	27.37	26.9	27.26
5/8/2006	27.01	27.02	26.39	26.66
5/9/2006	26.7	26.75	26.47	26.68
5/10/2006	26.6	28.2	26.5	27.7
5/11/2006	27.7	28.11	27.4	27.66

5/12/2006	27.4	27.52	27.02	27.34
5/15/2006	27.02	27.05	26.45	26.84
5/16/2006	26.93	27.3	26.89	27.11
5/17/2006	27	27.16	26.7	27.08
5/18/2006	27.75	27.99	27.16	27.28988
5/19/2006	27.6	27.6	26.92	27.06
5/22/2006	27.57	27.58	26.9	27.54
5/23/2006	28.24	28.24	27.2	27.49
5/24/2006	28.24	28.24	27.03	27.24
5/25/2006	27.26	27.45	26.88	27.22
5/26/2006	27.23	27.63	27.14	27.53
5/30/2006	27.53	27.53	27.1	27.35
5/31/2006	27.47	27.5	27.35	27.43
6/1/2006	27.68	28	27.45	27.87
6/2/2006	27.9	28	27.55	27.95
6/5/2006	27.6	28	27.6	27.88
6/6/2006	27.85	27.85	27.28	27.37
6/7/2006	27.37	27.88	27.1	27.85
6/8/2006	27.88	27.88	26.56	27.48
6/9/2006	27.6	27.75	27.17	27.27
6/12/2006	27.29	27.36	27	27.29
6/13/2006	27.3	27.36	26.75	27.02
6/14/2006	26.75	26.99	26.5	26.74
6/15/2006	27.08	27.1	26.76	26.97
6/16/2006	26.6	27.4	26.6	27.26
6/19/2006	27.4	27.4	26.7	26.72
6/20/2006	26.72	27.26	26.72	26.89
6/21/2006	26.65	26.96	26.6	26.7
6/22/2006	26.7	26.75	26.27	26.7
6/23/2006	26.74	26.91	26.31	26.77
6/26/2006	27	27.38	26.9	27.15
6/27/2006	27.15	27.38	26.79	26.94
6/28/2006	26.9	27	26.61	26.89
6/29/2006	26.82	27.37	26.75	27.35
6/30/2006	27.48	27.48	27.09	27.16
7/3/2006	27.16	27.45	27.09	27.32
7/5/2006	27.4	27.45	27.1	27.308
7/6/2006	27.2	27.47	27.17	27.37
7/7/2006	27.46	27.46	27.2	27.41
7/10/2006	27.46	27.95	27.35	27.95
7/11/2006	27.99	28	27.45	27.79
7/12/2006	27.98	28.14	27.65	27.91
7/13/2006	28.03	28.03	27.75	27.88
7/14/2006	27.63	27.95	27.6	27.74
7/17/2006	27.74	27.74	26.8	26.98
7/18/2006	26.98	26.98	26.75	26.84
7/19/2006	26.85	27.42	26.75	27.25
7/20/2006	27.1	27.49	26.95	27.16
7/21/2006	27.09	27.19	26.8	26.85
7/24/2006	27.1	27.5	26.95	27.39
7/25/2006	27.45	27.65	27.12	27.32
7/26/2006	27.6	27.6	27.15	27.3
7/27/2006	27.48	27.77	27.3	27.55
7/28/2006	27.55	27.79	27.55	27.63
7/31/2006	27.88	27.88	27.28	27.3
8/1/2006	27.3	27.39	27.13	27.29
8/2/2006	27.38	27.55	27.1	27.38
8/3/2006	27.36	27.55	27.15	27.39
8/4/2006	27.78	27.79	27.42	27.68
8/7/2006	27.86	27.87	27.15	27.82
8/8/2006	27.52	28.05	27.52	27.58
8/9/2006	27.6	27.95	27.56	27.71
8/10/2006	27.9	28.13	27.65	27.8
8/11/2006	27.81	27.999	27.62	27.75

8/14/2006	28.13	28.14	27.87	28.05
8/15/2006	28.24	28.55	28.169	28.42
8/16/2006	28.79	28.99	28.5	28.89
8/17/2006	28.5	28.81	28.5	28.66
8/18/2006	28.64	28.9	28.52	28.53
8/21/2006	28.53	28.53	28.24	28.26
8/22/2006	27.7	28.5	27.68	28.49
8/23/2006	28.5	28.5	28.19	28.19
8/24/2006	28.25	28.27	27.81	28.1
8/25/2006	28.15	28.15	27.85	27.99
8/28/2006	27.8	28.114	27.75	28.05
8/29/2006	28	28.29	27.6	27.77
8/30/2006	27.7	28.05	27.36	28.01
8/31/2006	28	28.4	27.95	28.26
9/1/2006	28.33	28.48	28.25	28.43
9/5/2006	28.45	28.51	28.12	28.51
9/6/2006	28.45	28.45	28	28.09
9/7/2006	28.23	28.36	28.13	28.16
9/8/2006	28.41	28.49	28.2	28.32
9/11/2006	28.28	28.48	28.13	28.36
9/12/2006	28.5	28.74	28.37	28.6
9/13/2006	28.74	28.87	28.61	28.79
9/14/2006	28.85	28.92	28.19	28.3
9/15/2006	28.3	28.75	28.21	28.68
9/18/2006	28.68	28.75	28.48	28.53
9/19/2006	28.56	28.63	28.35	28.45
9/20/2006	28.7	28.85	28.5	28.66
9/21/2006	28.88	28.88	28.51	28.67
9/22/2006	28.87	28.87	28.22	28.48
9/25/2006	28.42	28.73	28.22	28.56
9/26/2006	28.31	28.7	28.26	28.54
9/27/2006	28.54	28.73	28.25	28.37
9/28/2006	28.37	28.62	28.3	28.55
9/29/2006	28.59	28.7	28.41	28.41
10/2/2006	28.35	28.68	28.25	28.54
10/3/2006	28.54	28.75	28.44	28.55
10/4/2006	28.56	28.74	28.52	28.58
10/5/2006	28.53	28.73	28.5	28.6
10/6/2006	28.52	28.7	28.5	28.53
10/9/2006	28.56	28.6	28.45	28.51
10/10/2006	28.51	28.75	28.38	28.6
10/11/2006	28.51	28.7	28.4	28.46
10/12/2006	28.73	28.73	28.35	28.46
10/13/2006	28.46	28.76	28.46	28.6
10/16/2006	28.23	28.47	28.23	28.3
10/17/2006	28.35	28.47	28	28.25
10/18/2006	28.12	28.42	28.01	28.42
10/19/2006	28.38	28.38	28.03	28.12
10/20/2006	28.18	28.24	28.08	28.12
10/23/2006	28.12	28.48	28.07	28.22
10/24/2006	28.22	28.35	28.08	28.35
10/25/2006	28.05	28.45	28.04	28.33
10/26/2006	28.3	28.48	28.2	28.45
10/27/2006	28.32	28.49	28.28	28.39
10/30/2006	27.78	28.2	27.78	27.9
10/31/2006	27.9	27.949	27.6	27.73
11/1/2006	27.74	27.9	27.28	27.38
11/2/2006	27.38	27.66	27.35	27.58
11/3/2006	27.88	27.9	27.45	27.83
11/6/2006	27.88	28.23	27.78	28.05
11/7/2006	28.23	28.29	28.09	28.21
11/8/2006	28.13	28.29	27.96	28.2
11/9/2006	28.36	28.36	27.84	27.92
11/10/2006	27.96	28.1	27.82	28.01

11/13/2006	28.31	28.35	28.01	28.3
11/14/2006	28.35	28.36	28.1615	28.28
11/15/2006	28.7	28.8	28.42081	28.49
11/16/2006	28.5	28.63	28.2	28.45
11/17/2006	28.5	28.5	28.05	28.4
11/20/2006	28.2	28.55	28.2	28.45
11/21/2006	28.26	28.49	28.21	28.49
11/22/2006	28.5	28.89	28.4	28.79
11/24/2006	28.83	28.86	28.65	28.86
11/27/2006	28.86	29.15	28.86	28.95
11/28/2006	28.95	29.05	28.9	28.96
11/29/2006	28.93	29.67	28.93	29.48
11/30/2006	29.48	29.51	28.62	28.63
12/1/2006	28.88	28.91	28.52	28.76
12/4/2006	28.74	29.25	28.74	29
12/5/2006	29	29.3	28.92	29
12/6/2006	28.94	29.21988	28.9	28.99
12/7/2006	28.85	29.14	28.85	29.01
12/8/2006	29.1	29.11	28.62	28.83
12/11/2006	28.73	29.24	28.73	29.23
12/12/2006	29.1	29.4	29.09	29.28
12/13/2006	29.3	29.44	29.05	29.25
12/14/2006	29.16	29.32	29.1	29.17
12/15/2006	29.08	29.46	29.073	29.44
12/18/2006	29.41	29.47	29.19	29.3
12/19/2006	29.41	29.43	29.15	29.19
12/20/2006	29.18	29.42	29	29.38
12/21/2006	29.42	29.65	29.32	29.43
12/22/2006	29.5	29.75	29.39	29.75
12/26/2006	29.81	30.06	29.8	30.01
12/27/2006	30.23	31	30.23	30.57
12/28/2006	30.76	31.91	30.6	31.68
12/29/2006	31.68	32.4	31.65	32.2
1/3/2007	31.9	32.02	30.912	31.8
1/4/2007	31.72	31.95	30.03	30.49
1/5/2007	30.37	31.34988	30.1	31.04
1/8/2007	31.24	32.2	30.46	31.22
1/9/2007	31.02	31.73	30.84	31.44
1/10/2007	31.17	31.75	30.85	31.5
1/11/2007	31.5	31.75	31.35	31.55
1/12/2007	31.6	32	31.31	31.74
1/16/2007	31.6	31.79	31.25	31.7
1/17/2007	31.55	31.75	31.3	31.7
1/18/2007	31.65	31.88	31.59	31.8
1/19/2007	31.65	31.79	31.25	31.45
1/22/2007	31.4	31.68	31.4	31.67
1/23/2007	31.51	31.95988	31.38	31.83
1/24/2007	31.73	31.89	31.39	31.7
1/25/2007	31.56	31.7	31.25	31.46
1/26/2007	31.28	31.53	31	31.49
1/29/2007	31.48	31.55	31.18	31.42
1/30/2007	31.21	31.56	31.21	31.44
1/31/2007	31.44	31.59	31.2	31.58
2/1/2007	31.47	31.82988	31.27	31.71
2/2/2007	31.57	32.2	31.01	31.74
2/5/2007	31.12	31.35	30.73	30.92
2/6/2007	30.51	30.7	30.23	30.55
2/7/2007	30.47	30.65	29.85	29.91
2/8/2007	29.95	30.07	29.1	29.17
2/9/2007	28.9	29.18	25.64	26.61
2/12/2007	28.35	29.5	28.15	29.49
2/13/2007	29.5	29.53	29.05	29.26
2/14/2007	29.35	29.69	29.03	29.53
2/15/2007	29.53	29.7	29.02	29.27

2/16/2007	29.5	29.71	29	29.62
2/20/2007	30.15	30.15	29.43	29.89
2/21/2007	30.75	30.75	29.53	29.97
2/22/2007	30	30.12	29.69	29.82
2/23/2007	29.7	29.85	29.4	29.53
2/26/2007	29.6	29.6	29.17	29.26
2/27/2007	29.25	29.63	29.11	29.21
2/28/2007	29.17	29.54	29	29.19
3/1/2007	29.01	29.16	27.67	28.74
3/2/2007	28.9	28.99	28.65	28.85
3/5/2007	28.85	28.85	27.8	27.8
3/6/2007	27.91	28.57	27.89	28.48
3/7/2007	28.66	28.66	28.22	28.47
3/8/2007	29.01	29.02	28.44	28.53
3/9/2007	28.5	28.95	28.5	28.79
3/12/2007	28.98	28.98	28.42	28.55
3/13/2007	28.5	28.5	27.71	27.86
3/14/2007	28	28.01988	27.34	27.85
3/15/2007	28	28.89	27.99	28.89
3/16/2007	28.79	29.24	28.62	28.75
3/19/2007	29	29.05	28.3	28.41
3/20/2007	28.53	28.7	28.26	28.7
3/21/2007	28.54	29	28.54	28.99013
3/22/2007	29	29.45	28.9	29.42
3/23/2007	29.35	29.58	29.35	29.4505
3/26/2007	29.45	29.63	29.16	29.5
3/27/2007	29.48	29.48	28.85	28.96
3/28/2007	28.85	29.55	28.5	29.37
3/29/2007	29.3	29.44	28.7	28.81
3/30/2007	28.77	28.96	28.41	28.5
4/2/2007	28.47	28.65	28.13	28.21
4/3/2007	28.12	28.92	28.1	28.63
4/4/2007	28.66	28.82	28.21	28.41
4/5/2007	28.27	28.49	28	28.44
4/9/2007	28.44	28.54	28	28.1
4/10/2007	28.01	28.17	27.52	27.75
4/11/2007	27.71	28.01	27.4	27.66
4/12/2007	27.46	27.91	27.33	27.9
4/13/2007	27.88	27.88	27.53	27.74
4/16/2007	27.62	28	27.61	27.75
4/17/2007	27.75	27.92	27.57	27.71
4/18/2007	27.71	28.05	27.6	27.92
4/19/2007	27.92	28.06	27.78	27.99
4/20/2007	28.12	28.39	27.93	28.11
4/23/2007	28.09	28.22	27.88	27.91
4/24/2007	27.89	28.04	27.71	27.79
4/25/2007	27.77	28.01	27.76	27.99
4/26/2007	27.9	28.1	27.54	27.72
4/27/2007	27.66	27.81	27.57	27.61
4/30/2007	27.56	27.78	27.52	27.65
5/1/2007	27.7	27.7	27.31	27.5
5/2/2007	27.46	27.7	27.37	27.4
5/3/2007	27.37	27.68	27.34	27.56
5/4/2007	27.4	27.71	27.3	27.46
5/7/2007	27.45	27.66	27.3	27.6
5/8/2007	27.15	27.2	26.58	27.05
5/9/2007	27	27.45	26.74	26.94
5/10/2007	26.9	27.16	26.9	27.03
5/11/2007	26.75	26.93	26.57	26.7
5/14/2007	26.7	26.96	26.33	26.42
5/15/2007	26.39	26.47	25.94	26.1
5/16/2007	25.85	26.3	25.76	26.09
5/17/2007	25.93	26.2	25.8	26.15
5/18/2007	26.65	26.65	26.21	26.34

5/21/2007	26.54	26.76	26.34	26.65
5/22/2007	26.8	26.99	26.6	26.89
5/23/2007	26.89	27.48	26.8	27.3
5/24/2007	27.49	28.05	27.26	27.31
5/25/2007	27.31	27.38	26.77	26.96
5/29/2007	26.79	27.39	26.79	27.39
5/30/2007	27.39	27.39	27.07	27.1
5/31/2007	27.11	27.85	27	27.85
6/1/2007	27.41	27.41	26.85	27.05
6/4/2007	26.95	27.32	26.95	27.2
6/5/2007	27.1	27.15	26.66	26.71
6/6/2007	26.76	27.15	26.73	27.15
6/7/2007	26.8	27.1	26.43	26.55
6/8/2007	26.49	26.49	26.26	26.44
6/11/2007	26.39	26.44	26.02	26.15
6/12/2007	26	26.11	25.55	25.64
6/13/2007	25.6	25.78163	25	25.38
6/14/2007	25.36	26.42	25.36	26.18
6/15/2007	26.05	26.43	25.39	25.53
6/18/2007	25.38	25.72	25.03	25.66
6/19/2007	25.49	25.66	25.25	25.55
6/20/2007	25.38	25.55	25.12	25.24
6/21/2007	25.34	25.41	25.03	25.16
6/22/2007	25.1	25.39	24.86	25.03
6/25/2007	25.24	25.24	23.65	24.15013
6/26/2007	24.02	24.64	23.9	24.18
6/27/2007	24	24.25	23.9	24.2
6/28/2007	24.16	24.45	24.12	24.25
6/29/2007	24.26	24.48	24	24.38
7/2/2007	24.44	24.74	24.29	24.63
7/3/2007	24.43	24.87	24.43	24.69081
7/5/2007	24.88	25.01	24.51	24.7
7/6/2007	24.71	25.1	24.51	24.86
7/9/2007	25.14	26.05	25.01	25.95
7/10/2007	26.05	26.07	25.55	25.66
7/11/2007	25.55	25.76	25.2	25.31
7/12/2007	25.13	25.15	24.47	24.59
7/13/2007	24.74	25.06	24.56	24.91
7/16/2007	25.08	25.35	24.85	24.95
7/17/2007	24.9	25.16	24.75	24.87
7/18/2007	24.82	24.914	24.05	24.39
7/19/2007	24.21	24.38	23.75	24.16
7/20/2007	24.17	24.58	24	24.179
7/23/2007	23.94	24.18	23.75	23.9
7/24/2007	23.75	23.815	22.36	22.61
7/25/2007	22.57	23.15	22.5	22.90988
7/26/2007	22.9	22.9	22.01	22.5
7/27/2007	22	22.49	21.74	22.17
7/30/2007	22.85	23.02	22.45	22.66
7/31/2007	22.6	22.96	22.08	22.1
8/1/2007	21.9	21.932	16.77	17.98
8/2/2007	20.85	21.84	20.01013	21.65
8/3/2007	22.4	23	20.98	21.33
8/6/2007	21.3	24	20.44	23.81
8/7/2007	24.35	24.99	23.8	24.3
8/8/2007	24.5	25.55	24.3	25.26
8/9/2007	24.01	25	23.73	23.83
8/10/2007	23.7	24	22.5	23.22
8/13/2007	23.76	24.5	23.39	23.77
8/14/2007	23.75	23.78	21.73	22
8/15/2007	21.88	21.88	20.85	21.14
8/16/2007	20.8	23.05	19.8	22.3
8/17/2007	23.3	24	21.85	23.07
8/20/2007	23.5	23.75	22.97	23.06

8/21/2007	23.55	23.6	22.7	23.47
8/22/2007	24	24.29	23.35	23.58
8/23/2007	23.95	24.29	23.7	24.21
8/24/2007	24.05	24.22	23.8	23.92
8/27/2007	23.67	24.24	23.67	23.94
8/28/2007	23.94	23.94	23.1	23.3
8/29/2007	23.23	23.8	23	23.54
8/30/2007	23.54	24.06	23.28	23.5
8/31/2007	24	24.6	23.62	23.85
9/4/2007	23.7	23.96	23.5	23.9
9/5/2007	23.55	23.89	23.2	23.68988
9/6/2007	23.86	23.86	23.07	23.07
9/7/2007	23	23.15	22.75	22.98
9/10/2007	23	23.024	22.16	22.33
9/11/2007	22.3	22.76	22	22.76
9/12/2007	22.67	22.67	22.01	22.26
9/13/2007	22.1	22.65	22.08	22.46
9/14/2007	22.35	23.31	22.25	22.89
9/17/2007	23	23.04	22.58	22.76
9/18/2007	22.78	23.99	22.695	23.83
9/19/2007	23.99	24.24	23.81	24.08
9/20/2007	24.01	24.1	23.56013	23.62
9/21/2007	23.53	23.7	23.12	23.28
9/24/2007	23.22	23.22	22.69	22.85
9/25/2007	22.51	22.88988	22.41	22.57
9/26/2007	22.46	22.96988	22.4	22.91
9/27/2007	23.09	23.32	22.62	22.93
9/28/2007	22.55	22.84988	22.55	22.71
10/1/2007	22.65	22.89	22.41	22.76
10/2/2007	22.55	23.06	22.5	23.06
10/3/2007	22.7	23.02	22.66	22.72
10/4/2007	22.75	22.79	22.5	22.62
10/5/2007	22.75	23	22.6	22.92
10/8/2007	22.6	22.91	22.5	22.81
10/9/2007	22.75	22.75	22.51	22.51
10/10/2007	22.94	22.94	22.08	22.9
10/11/2007	22.75	22.901	22.1	22.27
10/12/2007	22.5	22.6	22.07	22.23
10/15/2007	22.4	22.43	22	22.02
10/16/2007	22.01	22.07	21.61	22.04
10/17/2007	22.01	22.15	21.6	22.04
10/18/2007	21.7	21.722	21	21.24
10/19/2007	21.01	21.14	20.01	20.69
10/22/2007	20.69	21.25	20.52	21.25
10/23/2007	21.05	21.19	20.4	20.51
10/24/2007	20.3	20.85	20.23	20.79
10/25/2007	20.65	20.67	20.05	20.54
10/26/2007	20.75	20.8	20.21	20.36
10/29/2007	20.05	20.72	20.05	20.56
10/30/2007	20.44	20.96988	20.40013	20.84
10/31/2007	20.8	21.58	20.65	21.58
11/1/2007	21.1	21.49	20.79	20.9
11/2/2007	20.9	20.95	20.27	20.44
11/5/2007	20.16	20.55	19.5	19.5
11/6/2007	19.22	19.95	19.22	19.78
11/7/2007	19.6	19.6	18	18.7
11/8/2007	19.7	19.7	18	18.95
11/9/2007	19.33	20.15	18.8105	19.73
11/12/2007	19.4	19.41	18	18.24988
11/13/2007	18.25	18.75	18	18.57
11/14/2007	18.75	19.05	18.57	18.82
11/15/2007	18.46	19	18.1	18.35
11/16/2007	18.46	18.46	18	18.09988
11/19/2007	18.2	18.2	17.5	17.7

11/20/2007	17.48	17.554	15.5	16.68
11/21/2007	16.55	16.99	15.6	16.99
11/23/2007	17	18	17	17.94
11/26/2007	18	18	16	16.13
11/27/2007	16.43	16.48	15.8	16.1
11/28/2007	15.97	16.7	15.92	16.31
11/29/2007	16.31	16.82	16	16.31
11/30/2007	16	17.22	16	17.22
12/3/2007	16.74	17.2	16.11	16.13
12/4/2007	16.1	16.23	15.5	15.50763
12/5/2007	15.51	15.51	14.5	14.96
12/6/2007	15	15.44013	14.5	15.25
12/7/2007	15.47	15.47	14.5	14.60013
12/10/2007	14.82	15.74	14.73	15.6
12/11/2007	15.6	15.73	14.35	14.57
12/12/2007	14.59	15.17988	13.01	13.25
12/13/2007	13.95	14.5	13.75	14.38
12/14/2007	14.38	14.99	14.34	14.49
12/17/2007	15.13	15.86	14.79	15.86
12/18/2007	15.86	17.219	15.86	16.38
12/19/2007	16.65	17.2	15.81	16.04988
12/20/2007	16.33	16.41	15.31	15.83
12/21/2007	16.14	16.43	15.83	16.2
12/24/2007	16.45	16.5	16	16.5
12/26/2007	16.5	16.50988	16.01	16.18
12/27/2007	16.21	16.48	15.75	15.91
12/28/2007	16.14	16.14	14.68	14.73
12/31/2007	14.73	15.18	14.01	14.84
1/2/2008	15.01	15.86	15.01	15.35
1/3/2008	15.2	16.51	15.2	16.43
1/4/2008	16.49	16.75	15.5	16.13
1/7/2008	16.13	16.13	15.5	15.95
1/8/2008	16.14	16.22	15.46	15.51
1/9/2008	15.41	15.59	14.75	15.32
1/10/2008	15.1	16.09	15.01	15.73
1/11/2008	16	16	15.47	15.63
1/14/2008	15.65	15.71988	15.17013	15.46
1/15/2008	15.75	15.75	15.1	15.63
1/16/2008	15.94	16.37	15.71	16.37
1/17/2008	16.36	16.54	15.88	16.04
1/18/2008	15.69	15.89988	15	15.11
1/22/2008	14.01	15.65	14.01	15.49
1/23/2008	15.89	16.8	15.4	16.65
1/24/2008	16.99	17.25	16.62	16.73
1/25/2008	16.85	17.5	16.76	16.84
1/28/2008	16.47	17.2	16	17.2
1/29/2008	12.33	12.33	9.05	9.19

EXHIBIT 5

THE ROSEN LAW FIRM, P.A.

Phillip Kim, Esq. (PK 9384)

Laurence M. Rosen, Esq. (LR 5733)

350 Fifth Avenue, Suite 5508

New York, New York 10118

Telephone: (212) 686-1060

Fax: (212) 202-3827

Email: pkim@rosenlegal.com

Email: lrosen@rosenlegal.com

[Proposed] Lead Counsel for Plaintiffs and Class

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOSEPH S. GELMIS, INDIVIDUALLY AND ON BEHALF
OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, MELANIE
M. LUNDQUIST, GARY A. MENTESANA, ROBERT J.
BANKS, CHARLES C. BAUM, RICHARD O. BERNDT,
EDDIE C. BROWN, ROBERT S. HILLMAN, DOUGLAS A.
McGREGOR, ARTHUR S. MEHLMAN, FRED N. PRATT,
JR., and MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.

CASE No.: 08-CV-980 (RMB)

DECLARATION OF ROBERT
STARK IN SUPPORT OF MMA
INVESTORS' MOTION FOR
APPOINTMENT AS LEAD
PLAINTIFFS

CLASS ACTION

-----X
[caption continues]

-----X
JULES ROTHAS, Individually and on Behalf of All Others
Similarly Situated,

CASE NO. 08-CV-01120 (RMB)

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK K.
JOSEPH, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, and DAVID B. KAY,

Defendants.
-----X

-----X
ARNOLD J. ROSS, Individually and on Behalf of All Others
Similarly Situated,

CASE NO. 08-CV-1299 (RMB)

Plaintiff,

CLASS ACTION

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, and
MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.
-----X

[caption continues]

-----X
ALEX D'ANGELO, Individually and on Behalf of All Others CASE NO. 08-CV-01331 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MICHAEL L.
FALCONE, WILLIAM S. HARRISON, EARL W. COLE,
III, MARK K. JOSEPH, and MELANIE M. LUNDQUIST,

Defendants.

-----X
NAOMI RAPHAEL, Individually and on Behalf of All Others CASE NO. 08-CV-02190 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK J.
JOSEPH, MICHAEL L. FALCONE, WILLIAM S.
HARRISON, MELANIE M. LUNQUIST, DAVID B.
KAY, CHARLES C. BAUM, EDDIE C. BROWN, ROBERT
S. HILLMAN, ARHTUR S. MEHLMAN, and FRED N.
PARATT, JR.

Defendants.

-----X
DECLARATION OF ROBERT STARK

Robert Stark, pursuant to 28 U.S.C. §1746, declares as follows:

1. I submit this Declaration in support of the application of the MMA Investors, consisting of Robert Stark, Norman Feinberg, Leonard Klorfine, Daryl Bonyor, and Al Fetch to serve as a Lead Plaintiffs in the above-captioned actions. I have personal knowledge about the information contained in this Declaration.

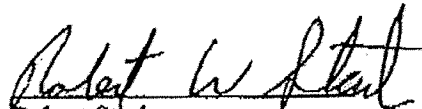
2. I, Robert Stark, reside in South Padre Island, TX, along with my wife Jamie Stark.

3. The transactions listed in my PSLRA certification on file with the Court, that is also signed by my wife, Jamie Stark, were made by me with full express authority from my wife.

4. At all relevant times, including when I signed my PLSRA certification and decided to seek appointment as a lead plaintiff, I have had full express authority from my wife to pursue this litigation and seek relief for the losses suffered by my wife and I from the alleged fraud; and I have full authority to pursue and otherwise bind myself and my wife with respect to any claims alleged in this litigation.

I, declare under penalty of perjury that the following is true and correct.

Executed this 25 day of ^{Apr}~~May~~, 2008


Robert Stark

I, Jamie Stark, wife of Robert Stark, have reviewed the foregoing statements of my husband and agree the facts set forth above are true and correct to the best of my knowledge.

Executed this 25 day of ^{Apr}~~May~~, 2008

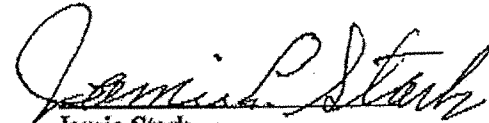

Jamie Stark

EXHIBIT 6

THE ROSEN LAW FIRM, P.A.
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Laurence M. Rosen, Esq. (LR 5733)
350 Fifth Avenue, Suite 5508
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Fax: (212) 202-3827
Email: pkim@rosenlegal.com
Email: lrosen@rosenlegal.com

[Proposed] Lead Counsel for Plaintiffs and Class

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOSEPH S. GELMIS, INDIVIDUALLY AND ON BEHALF
OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, MELANIE
M. LUNDQUIST, GARY A. MENTESANA, ROBERT J.
BANKS, CHARLES C. BAUM, RICHARD O. BERNDT,
EDDIE C. BROWN, ROBERT S. HILLMAN, DOUGLAS A.
McGREGOR, ARTHUR S. MEHLMAN, FRED N. PRATT,
JR., and MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.

CASE No.: 08-CV-980 (RMB)

DECLARATION OF LEONARD
KLORFINE IN SUPPORT OF
THE MMA INVESTORS'
MOTION FOR APPOINTMENT
AS LEAD PLAINTIFFS

CLASS ACTION

-----X
[caption continues]

-----X
JULES ROTHAS, Individually and on Behalf of All Others
Similarly Situated,

CASE NO. 08-CV-01120 (RMB)

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK K.
JOSEPH, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, and DAVID B. KAY,

Defendants.
-----X

-----X
ARNOLD J. ROSS, Individually and on Behalf of All Others
Similarly Situated,

CASE NO. 08-CV-1299 (RMB)

Plaintiff,

CLASS ACTION

vs.

EARL W. COLE, III, MICHAEL L. FALCONE,
WILLIAM S. HARRISON, MARK K. JOSEPH, and
MUNICIPAL MORTGAGE & EQUITY, LLC,

Defendants.
-----X

[caption continues]

-----X
ALEX D'ANGELO, Individually and on Behalf of All Others CASE NO. 08-CV-01331 (RMB)
Similarly Situated,

Plaintiff,

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MICHAEL L.
FALCONE, WILLIAM S. HARRISON, EARL W. COLE,
III, MARK K. JOSEPH, and MELANIE M. LUNDQUIST,

Defendants.

-----X
NAOMI RAPHAEL, Individually and on Behalf of All Others CASE NO. 08-CV-02190 (RMB)
Similarly Situated,

Plaintiff,

CLASS ACTION

vs.

MUNICIPAL MORTGAGE & EQUITY, LLC, MARK J.
JOSEPH, MICHAEL L. FALCONE, WILLIAM S.
HARRISON, MELANIE M. LUNQUIST, DAVID B.
KAY, CHARLES C. BAUM, EDDIE C. BROWN, ROBERT
S. HILLMAN, ARHTUR S. MEHLMAN, and FRED N.
PARATT, JR.

Defendants.

-----X
DECLARATION OF LEONARD KLORFINE

I, Leonard Klorfine, pursuant to 28 U.S.C. §1746, declare as follows:

1. I submit this Declaration in further support of the application of myself, Norman
Feinberg, Robert Stark, Daryl Bonyor, and Alan Fetch (the "MMA Investors") to serve as a Lead
Plaintiffs in the above-captioned actions pursuant to the Private Securities Litigation Reform Act
of 1995 ("PSLRA"), for approval of the group's selection of the Rosen Law Firm, P.A. as Lead

Counsel for the class, and to consolidate the related actions. I have personal knowledge about the information contained in this Declaration as to my own activities, actions and beliefs.

2. During the Class Period, I purchased stock of Municipal Mortgage & Equity, LLC ("MMA") on behalf of myself personally and on behalf of Klorfine Interests, Ltd ("Klorfine Interests").

3. Klorfine Interests is a family limited partnership that I organized and funded in 1998 for the benefit of myself and my family members. I am the managing general partner of Klorfine Interests. My son, daughter and wife are general partners.

4. As the managing general partner, I have full discretionary authority over the investments made by Klorfine Interests and full authority and attorney-in-fact power to pursue this litigation on behalf of Klorfine Interests. I have had this authority at all relevant times, including at the time I joined the MMA Investors to seek Lead Plaintiff status.

5. I made the investment decisions to buy and sell the MMA securities on behalf of Klorfine Interests as set forth in my PSLRA certification.

I declare under penalty of perjury that the following is true and correct.

Executed this 23 day of April, 2008


Leonard Klorfine

EXHIBIT 7

THE ROSEN LAW FIRM P.A.

Attorneys-at-Law

350 Fifth Avenue, Suite 5508
New York, New York, 10118
Tel: (212) 686-1060
Fax: (212) 202-3827

January 29, 2008

BY MAIL

Sherry Cohen, Esq.
Departmental Disciplinary Committee
Appellate Division, First Department
61 Broadway
New York, New York 10006

Re: Copy of Attorney Advertisement for Filing

Dear Ms. Cohen:

Pursuant to Section 1200.8 (c)(1)(i), attached for filing is a copy of the attorney advertisement that was published by the firm. The advertisement was posted today.

Please do not hesitate to contact us if you have any questions.



Nathan Huddell
Paralegal

Enc.

cc: File

INVESTOR NOTICE- Attorney Advertisement

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Investor Notice – Attorney Advertisement

philkimrose...



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We are attorneys with the Rosen Law Firm, P.A. Our firm's practice is focused on securities class action and shareholder litigation. We have been conducting an internal investigation of Municipal Mortgage & Equity, Corp. and its accounting practices for a significant period of time. We are preparing a complaint against the company and other responsible persons for violations of federal securities laws.

As you are aware, last night MMA announced that it was reducing its dividend and further extending its restatement period yet again. This morning, the Company has disclosed that it has been improperly accounting for its tax-exempt assets. The Company now acknowledges that it will be changing the way the company accounts for many of its loans. We believe the Company may have been improperly over-valuing its non-performing assets for at least two years in violation of GAAP and the Company's own accounting policies.

The Company' stock price has declined substantially in the wake of these disclosures. The Company recently announced plans to delist its shares from the New York Stock Exchange.

If you have any information that may assist our investigation or wish to obtain further information about the proposed class action, please do not hesitate to contact us.

Larry Rosen, Esq.
Phil Kim, Esq.
The Rosen Law Firm, P.A.
350 5th Avenue, Suite 5508
New York, NY 10118
Tel: (212) 686-1060
Email: lrosen@rosenlegal.com
Email: pkim@rosenlegal.com

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Source: Kahn Gauthier Swick, LLC

Investor Notice: KGS Announces Investigation Into Possible Fraud Claims Against Sterling Financial Corporation

NEW ORLEANS, May 25, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into Sterling Financial Corporation ("Sterling" or the "Company") (Nasdaq:SLFI) to determine whether it has violated federal securities laws by issuing a series of materially false and misleading statements during the period April 27, 2004 through May 25, 2007.

Shares of Sterling fell over 40% today to an intraday low of \$9.31, after the bank holding company announced an after-tax charge of \$145 to \$165 million to the company's 2006 financial results related to a significant loan scheme by employees at its affiliate Equipment Finance LLC ("EFI"). Sterling announced that its own internal investigation revealed "evidence of a sophisticated loan scheme, orchestrated deliberately by certain EFI officers and employees over an extended period of time" to conceal credit delinquencies and falsify financing contracts. As a result, five EFI employees have been terminated, including the chief operating officer and executive vice president. Sterling had previously announced that it expected to be restating financial statements for the years 2004 through 2006.

If you are a Sterling shareholder, and have information that might assist in our investigation, or would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

CONTACT: Kahn Gauthier Swick, LLC
Lewis Kahn
866-467-1400, Ext. 100
lewis.kahn@kgsounsel.com

Keywords: **CLASS ACTION LAWSUITS**

Other News Releases from Kahn Gauthier Swick, LLC

[Investor Alert: KGS Announces Last Day for SunOpta, Inc. Shareholders to File Lead Plaintiff Application -- Shareholders With Over \\$100,000 Loss Urged to Inquire -- STKL - Mar 28, 2008](#)

[Investor Alert: KGS Announces Filing of Its Securities Class Action Against MF Global, Ltd. - Investors May Apply For Lead Plaintiff Position -- MF - Mar 22, 2008](#)

[Investor 24-hour Alert: March 14, 2008 Last Day for CellCyte Genetics Corp. Shareholders to Request Lead Plaintiff Position in Securities Class Action Lawsuit - Mar 14, 2008](#)

[Investor Alert: KGS Announces Extension of Class Period in Centerline Holding Securities Fraud Class Action Lawsuit -- Investors Have Until March 18, 2008 to Request Lead Plaintiff Position -- CHC - Mar 12, 2008](#)

[Investor Alert: KGS Reminds SunOpta, Inc. Shareholders That They Have Until March, 28, 2008 Deadline to File Lead Plaintiff Application in KGS's Securities Fraud Class Action Lawsuit Against SunOpta, Inc. -- STKL - Mar 9, 2008](#)

[Investor Alert: KGS Reminds TeleTech Holdings, Inc. Shareholders That They Have Until March, 25, 2008 Deadline to File Lead Plaintiff Application in KGS's Securities Class Action Lawsuit Against TeleTech Holdings, Inc. -- TTEC - Mar 9, 2008](#)

[Investor Alert: KGS Updates Investors On Status Of Multiple Lawsuits Against Superior Offshore International, Inc. -- DEEP](#) - Mar 8, 2008

[Investor Alert: KGS Urges Investors Who Have Lost More Than \\$100,000 in Municipal Mortgage & Equity, LLC Shares to Inquire About Lead Plaintiff Position in Securities Class Action Lawsuit -- MMAB](#) - Mar 4, 2008

[Investor Alert: Only 1 Day Left for Ulta Salon, Cosmetics & Fragrances, Inc. Investors to File Lead Plaintiff Application in Securities Class Action Lawsuit -- ULTA](#) - Feb 18, 2008

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Source: Kahn Gauthier Swick, LLC

Other News Releases from Kahn Gauthier Swick, LLC

Investor Notice: KGS Announces Investigation on Behalf of Investors in Bodisen Biotech, Inc.

NEW ORLEANS, Nov. 14, 2006 (PRIMEZONE) -- Kahn Gauthier Swick, LLC announces that it has commenced an investigation into Bodisen Biotech, Inc. ("Bodisen" or the "Company") (AMEX:BBC) to determine whether it has violated federal securities laws by issuing false and misleading statements to its shareholders.

Late on November 12, 2006, Bodisen stated that it had received a letter from the American Stock Exchange warning that it is out of compliance with certain listing standards. The exchange said it believes Bodisen made insufficient or inaccurate disclosure in public filings on its relationship with, and payments to, New York Global Group and its affiliates both prior to and subsequent to its listing on the exchange. The Amex also expressed concern that Bodisen has internal control issues related to its accounting and financial reporting obligations in the context of its relationship with the company.

As a result of this news, Bodisen shares have tumbled almost 50% over two trading days, falling from a high of \$10.84 per share on November 10, 2006, to an intraday low of \$5.81 today. KGS is currently evaluating whether a class action lawsuit should be filed to assist Bodisen shareholders in recouping their losses.

If you purchased shares of Bodisen between November 16, 2005 and November 10, 2006, you are urged to call Lewis Kahn, Managing Partner, KGS, toll free 1-866-467-1400, ext. 100, via cell phone at 504-301-7900, or by email at lewis.kahn@kglg.com to learn about your legal rights and KGS' ongoing investigation. For further information on KGS, please visit www.kglg.com.

CONTACT: Kahn Gauthier Swick, LLC
Lewis Kahn, President
(866) 467-1400, ext. 100

Keywords: **LEGAL**

[Investor Alert: KGS Announces Last Day for SunOpta, Inc. Shareholders to File Lead Plaintiff Application -- Shareholders With Over \\$100,000 Loss Urged to Inquire -- STKL - Mar 28, 2008](#)

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SEARCH News

Source: Kahn Gauthier Swick, LLC

Individual Investor Alert: KGS Announces Investigation Into Fairness of NetRatings Buyout Offer by Majority Shareholder VNU

NEW ORLEANS, Oct. 20, 2006 (PRIMEZONE) -- Kahn Gauthier Swick, LLC announces that it encourages individual investors to now participate in its ongoing investigation into the fairness and adequacy of the recent bid for market research company NetRatings Inc. (Nasdaq:NTRT), by its majority shareholder -- VNU Group BV ("VNU").

According to a statement by the company, Netherlands-based VNU -- parent of ACNielsen and Nielsen Media Research, has offered \$16-per-share, or little more than \$225 million, to acquire all of the outstanding shares of the company it does not currently own. VNU Group already dominates NetRatings as a result of its current 60.5% ownership interest in the company.

The initial stages of KGS' investigation indicate that the VNU Group offer may substantially undervalue NetRatings' assets and goodwill. KGS is investigating whether VNU's buyout offer is low in light of possible hidden tax assets and patent litigation assets, which may not have been valued, or may have been undervalued, in this offer.

Individual Investors are also now encouraged to assist in the KGS investigation. Investors with knowledge regarding the undervaluation of VNU's buyout offer, or with knowledge of facts that demonstrate the unfairness of the bidding or evaluation process, are encouraged to contact KGS, as soon as possible, without obligation or cost to you.

CONTACT: Kahn Gauthier Swick, LLC
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Cell: (504) 301-7900
lewis.kahn@kglg.com

Keywords: [LEGAL](#)

Other News Releases from Kahn Gauthier Swick, LLC

[Investor Alert: KGS Announces Last Day for SunOpta, Inc. Shareholders to File Lead Plaintiff Application -- Shareholders With Over \\$100,000 Loss Urged to Inquire -- STKL](#) - Mar 28, 2008

[Investor Alert: KGS Announces Filing of Its Securities Class Action Against MF Global, Ltd. - Investors May Apply For Lead Plaintiff Position -- MF](#) - Mar 22, 2008

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[Investor Alert: Only 1 Day Left for Ulta Salon, Cosmetics & Fragrances, Inc. Investors to File Lead Plaintiff Application in Securities Class Action Lawsuit -- ULTA](#) - Feb 18, 2008

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NEWSReleases
 **SEARCH News**

Source: Kahn Gauthier Swick, LLC

Investor Alert: KGS Announces Investigation Into Civil Liability of ShoreTel, Inc.

NEW ORLEANS, Jan. 8, 2008 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into ShoreTel, Inc. ("ShoreTel" or the "Company") (Nasdaq: SHOR) to determine its civil liability under the federal securities laws to shareholders in the wake of the Company's announcement today that its preliminary results for the quarter ending December 31st were below projections and analyst expectations.

Shares of ShoreTel plummeted 54.0%, or \$7.06, to close at \$6.02 on Monday, after it announced its fiscal second-quarter sales would be lower than expected.

ShoreTel forecasts sales between \$29.7 million and \$30.7 million, down from an earlier projection of \$32 million to \$35 million. Analysts polled by Thomson Financial expect revenue of \$34 million.

If you are a ShoreTel shareholder, or have information that may assist KGS in its investigation, or would like to discuss this matter and how it might affect you, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext. 100, via cell phone 504-301-7900, or by email at lewis.kahn@kgscounsel.com. KGS focuses its practice on securities litigation, and has been appointed lead counsel in numerous federal securities cases. For more information on KGS, please visit www.kgscounsel.com.

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Source: Kahn Gauthier Swick, LLC

Investor Alert: KGS Announces Investigation Into Civil Liability of Virgin Mobile USA, Inc.

NEW ORLEANS, Nov. 16, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into Virgin Mobile USA, Inc. ("Virgin Mobile" or the "Company") to determine its civil liability under the federal securities laws to shareholders in the wake of the Company's announcement today that its third-quarter loss widened after operating expenses rose.

The wireless service provider's shares fell \$1.54, or 14.4 percent, to \$9.19 Friday, after Virgin Mobile announced that its third quarter loss for the period ending September 30, 2007 widened to \$7.3 million. This news, and subsequent share decline, comes only one month after the Company's October, 2007 initial public offering raised over \$350 million, well after the end of the third quarter in which Virgin now reports a larger loss.

If you are a Virgin Mobile shareholder, and have information that may assist KGS in its investigation, or would like to discuss this matter and how it might affect you, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext. 100, via cell phone 504-301-7900, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities litigation, and has been appointed lead counsel in numerous federal securities cases. For more information on KGS, please visit www.kgsounsel.com.

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Source: Kahn Gauthier Swick, LLC

Investor Alert: KGS Announces Investigation Into Civil Liability of The Bear Stearns Companies, Inc.

NEW ORLEANS, Nov. 13, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into The Bear Stearns Companies, Inc. ("Bear Stearns" or the "Company") (NYSE:BSC) to determine its civil liability under the federal securities laws to shareholders in the wake of the collapse of two of its hedge funds.

Bear Stearns said in mid-July that two of its structured finance funds, the High-Grade Structured Credit Strategies Fund as well as the Enhanced Leverage Fund, had collapsed under the weight of bad bets on mortgage-backed securities, costing its investors close to \$2 billion. Shares of Bear Stearns have dropped from a 52 week high of \$172.61 to less than \$100 today.

If you are a Bear Stearns shareholder, and would like to discuss this matter, or have information that may assist KGS in its investigation, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext. 100, or by email at lewis.kahn@kgsconsult.com. KGS focuses its practice on securities litigation, and has been appointed lead counsel in numerous federal securities cases. For more information on KGS, please visit www.kgsconsult.com.

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Investor Notice: KGS Announces Investigation Into Assurant, Inc.

NEW ORLEANS, July 18, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into Assurant, Inc. ("Assurant" or the "Company") (NYSE:AIZ) to determine whether it has violated federal securities laws, after the Company announced that its President and Chief Executive Robert B. Pollock, as well as Chief Financial Officer Philip Bruce Camacho, received a "Wells notice" from the Securities and Exchange Commission ("SEC") in connection with the agency's probe of certain loss mitigation insurance products. Three other Assurant employees had previously received similar notices.

Shares of Assurant plummeted 12.7%, or \$7.45, to \$51.35 in Tuesday afternoon trading -- their sharpest decline ever, on the latest news. The SEC notices stem from an investigation into a product known as finite reinsurance, a widespread issue in the insurance industry. A handful of insurers were accused of using finite reinsurance contracts not to transfer risk but to polish financial statements, offering a deceptively sunny portrayal of a company's health.

If you are an Assurant shareholder, and would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsconsult.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsconsult.com.

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Investor Notice: KGS Announces Investigation Into Decline in Price of Xinhua Finance Media Ltd. Shares

NEW ORLEANS, May 21, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into Xinhua Finance Media Ltd. ("Xinhua" or the "Company") (Nasdaq:XFML) to determine whether it has violated federal securities laws by selling at least \$300 million in stock pursuant to a materially false and misleading prospectus in or about March 9, 2007, and by subsequently issuing a series of materially false and misleading statements to shareholders.

Shares of Xinhua have fallen from a high of \$12.75 per share on May 7, 2007 to an intraday low of \$8.31 per share today in the wake of news that the Company's former CFO at the time of its IPO, Shelly Singhal, was simultaneously an investment banker and stockbroker in charge of Bedrock Securities ("Bedrock"). Since April 2006, prior to the IPO, Bedrock has been under a cease-and-desist order for violating SEC regulations. Moreover, reports have also surfaced that Singhal has been fighting a private civil racketeering lawsuit in California and has previously been a major investor in AremisSoft and ACLN, companies previously sued for fraud by the SEC.

In the wake of this news, on Friday, May 18, 2007, Xinhua Proxy advisor Glass Lewis & Co.'s head of research, Lynn E. Turner, resigned. Previously, Turner was a respected accounting regulator with the SEC. Prior to this news, on May 16, 2007, Glass Lewis' managing director and research editor, Jonathan Weil, resigned. Weil was previously with the Wall Street Journal, better known as the first reporter to blow the whistle on Enron.

If you are a Xinhua shareholder or purchased shares in its IPO or shortly thereafter, and have information that might assist in our investigation, or would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgscounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgscounsel.com.

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Investor Notice: KGS Announces Investigation on Behalf of Purchasers of Optionable, Inc.

NEW ORLEANS, May 10, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has initiated an investigation into Optionable, Inc. ("Optionable" or the "Company") (OTCBB: OPBL) to determine whether it has violated federal securities laws by selling stock pursuant to a materially false and misleading prospectus in or about May, 2005, and by subsequently issuing a series of materially false and misleading statements to shareholders.

After dropping 41% on Wednesday, May 9th, after Optionable's largest trading partner Bank of Montreal announced that it was suspending its relationship with the Company, shares of Optionable sunk to an intraday low of \$1.05 per share today, 60% lower than the previous day's close. Today's latest blow came from the New York Mercantile Exchange, which said it plans to compete with Optionable in the commodities trading business.

KGS will investigate Optionable's relationship with Bank of Montreal, the New York Mercantile Exchange, and the adequacy of the Company's disclosure of the true concentration of its customer base, among other issues. If you are an Optionable shareholder or purchased shares in its IPO or shortly thereafter, and would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsconsult.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsconsult.com.

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Source: Kahn Gauthier Swick, LLC

Investor Notice: KGS Announces Investigation on Behalf of Purchasers of Fremont General Corporation

NEW ORLEANS, May 8, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has commenced an investigation into Fremont General Corporation ("Fremont" or the "Company") (NYSE:FMT) to determine whether it has violated federal securities laws by issuing a series of materially false and misleading statements during the period March 16, 2006 through February 28, 2007.

Shares of Fremont fell to \$8.81 on February 28, 2007, a loss of \$3.64, or 29 percent, from the intraday high of \$12.45 achieved the previous day, after the Company delayed its 4th quarter earnings report. Days later, on March 2nd, Fremont announced that it was exiting the subprime residential real estate lending business, which the Company said was prompted by the receipt of a proposed cease-and-desist order from the Federal Deposit Insurance Corporation that called for Fremont to restrict the level of lending in its subprime residential mortgage business.

Thereafter, just weeks after booking a \$140 million pretax loss in the sale of \$4 billion of its subprime residential real estate loan portfolio, on April 2, 2007, Fremont announced the resignation of its auditor, Grant Thornton LLP -- only eight months after the Company hired the firm. In support of its resignation, Grant Thornton filed a letter with the SEC stating it was unable to "evaluate or determine the completeness, sufficiency or timeliness of the information provided in response to our requests."

If you are a Fremont shareholder who purchased shares between the dates of March 16, 2006 and February 28, 2007, and would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

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Investor Notice: KGS Announces Investigation on Behalf of Purchasers of Fremont General Corporation

NEW ORLEANS, May 8, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has commenced an investigation into Fremont General Corporation ("Fremont" or the "Company") (NYSE:FMT) to determine whether it has violated federal securities laws by issuing a series of materially false and misleading statements during the period March 16, 2006 through February 28, 2007.

Shares of Fremont fell to \$8.81 on February 28, 2007, a loss of \$3.64, or 29 percent, from the intraday high of \$12.45 achieved the previous day, after the Company delayed its 4th quarter earnings report. Days later, on March 2nd, Fremont announced that it was exiting the subprime residential real estate lending business, which the Company said was prompted by the receipt of a proposed cease-and-desist order from the Federal Deposit Insurance Corporation that called for Fremont to restrict the level of lending in its subprime residential mortgage business.

Thereafter, just weeks after booking a \$140 million pretax loss in the sale of \$4 billion of its subprime residential real estate loan portfolio, on April 2, 2007, Fremont announced the resignation of its auditor, Grant Thornton LLP -- only eight months after the Company hired the firm. In support of its resignation, Grant Thornton filed a letter with the SEC stating it was unable to "evaluate or determine the completeness, sufficiency or timeliness of the information provided in response to our requests."

If you are a Fremont shareholder who purchased shares between the dates of March 16, 2006 and February 28, 2007, and would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

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Investor Alert: KGS Announces Investigation Into Fairness of Announced Vertrue Inc. Buyout Offer By Management and Private Equity Partners

NEW ORLEANS, March 27, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it encourages investors to now participate in its ongoing investigation into the fairness and adequacy of the \$616 million bid for Vertrue Inc. (Nasdaq:VTRU) by its management team and an investor group, including private-buyout firms One Equity Partners, Oak Investment Partners and Rho Ventures.

According to a Reuters report on March 22nd, Vertrue shareholders will receive \$48.50 in cash for each share. Including debt, the total value of the deal is about \$800 million. Vertrue is an online direct marketing services company headquartered in Norwalk, Connecticut.

The initial stages of KGS' investigation indicate that the anticipated private equity offer may substantially undervalue the price of Vertrue shares. Investors are now encouraged to assist in the KGS investigation. Investors with knowledge regarding the undervaluation of the buyout offer, or with knowledge of facts that demonstrate the unfairness of the bidding or evaluation process, are encouraged to contact Lewis Kahn, President, KGS: Investigations Bureau toll free 1-866-467-1400, ext. 106, or by email at lewis.kahn@kgsconsult.com as soon as possible, without obligation or cost to you.

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Investor Notice: KGS Announces Investigation on Behalf of Purchasers of U.S. Auto Parts Network, Inc.

NEW ORLEANS, March 24, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it has commenced an investigation into U.S. Auto Parts Network, Inc. ("U.S. Auto" or the "Company") (Nasdaq:PRTS) to determine whether it has violated federal securities laws by selling stock pursuant to a materially false and misleading prospectus in or about February, 2007.

Shares of U.S. Auto sunk to \$6.08 per share on Friday, more than 50% lower than the highs achieved in the days after the February, 2007 IPO, after the Company said it may post a loss in the first quarter. After the markets closed Tuesday, U.S. Auto predicted its first-quarter results will come in between break-even and a 2-cent-per-share loss. The Company also reported it broke even per share in the fourth quarter, versus a profit of 16 cents per share in the year-ago quarter.

KGS will also investigate Company insiders to determine whether they sold millions of dollars of stock in the IPO in violation of federal securities laws.

If you are a U.S. Auto shareholder or purchased shares in the IPO or shortly thereafter, and would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

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Investor Notice: KGS Announces Investigation on Behalf of Purchasers of New Century Financial Corp. Preferred Stock

NEW ORLEANS, March 10, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it has commenced an investigation into New Century Financial Corp. ("New Century" or the "Company") to determine whether it has violated federal securities laws by selling Preferred Stock pursuant to materially false and misleading prospectuses in or about June 2005 (\$116.79 million offering of Series A Preferred Stock) and August 2006 (\$62.85 million offering of Series B Preferred Stock) (NYSE:NEW-PA) (NYSE:NEW-PB).

On February 7, 2007, New Century announced that it will have to restate its previously reported financial results to correct errors related to its application of generally accepted accounting principles, necessary for reporting allowances for loan repurchase losses. On this news, New Century's Preferred shares declined precipitously.

Later, on March 2, 2007, New Century also disclosed that the U.S. Attorney's Office for the Central District of California had notified the Company that it is conducting a criminal inquiry in connection with trading in New Century's stock, and its accounting. The following trading day, New Century's Preferred Shares again declined.

If you would like to discuss your legal rights as a Preferred shareholder, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext. 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

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Investor Notice: New Orleans, Louisiana Based KGS Announces Investigation On Behalf of Investors in Gulf Island Fabrication, Inc.

NEW ORLEANS, March 3, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it has commenced an investigation into Gulf Island Fabrication, Inc. ("Gulf Island" or the "Company") (Nasdaq:GIFI) to determine whether it has violated federal securities laws by issuing false and misleading statements to its shareholders.

Shares of Gulf Island closed down \$9.10 today, or 25%, after the Company restated its results for the first nine months of 2006. On Thursday evening after markets closed, Gulf Island admitted to overestimating revenue from a contract with Chevron Corp., for the construction of a deck on a massive offshore oil platform in the Gulf of Mexico. Gulf Island assumed that contract when it acquired the assets of another company last year.

Gulf Island restated its earnings for the first three quarters of 2006 from \$18.6 million to \$17.6 million and lowered revenue from \$237.8 million to \$236.2 million.

In addition to the foregoing, KGS is also investigating sales of over \$4 million of company stock, by the officers and/or directors of Gulf Island that occurred primarily in November and December 2006 -- the time when these shares traded at or near their all time trading high -- and during the period that shares appear to have been inflated by defendants' publication of financial statements that are not reliable and that have now been restated.

If you would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgsounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgsounsel.com.

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Investor Notice: KGS Announces Investigation on Behalf of Investors in Sanyo Electric Co. ADRs -- SANYY

NEW ORLEANS, March 2, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it has commenced an investigation into Sanyo Electric Co. ("Sanyo" or the "Company") (Pink Sheets:SANYY) to determine whether it has violated federal securities laws by issuing false and misleading statements to its shareholders.

Sanyo lost nearly a quarter of its market value on Friday, February 23rd after the company said it was being investigated by Japan's securities watchdog, the latest blow to the consumer electronics maker. According to a Reuters report, the Japanese equivalent of the U.S. SEC, the Securities and Exchange Surveillance Commission (SESC), is conducting an investigation into the Osaka-based company's past earnings involving its bookings of losses at subsidiaries. Japan's Asahi newspaper has reported that Sanyo may have falsified its fiscal 2003 earnings report to conceal 140 billion yen (\$1.16 billion) in losses at subsidiaries.

If you would like to discuss your legal rights, you may e-mail or call KGS, without obligation or cost to you. You may contact Managing Partner Lewis Kahn of KGS direct, toll free 1-866-467-1400, ext., 100, or by email at lewis.kahn@kgscounsel.com. KGS focuses its practice on securities fraud litigation, and the firm's lawyers have significant experience working on securities fraud cases that have resulted in significant recoveries for shareholders. For more information on KGS, please visit www.kgscounsel.com.

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Investor Alert: KGS Announces Investigation Into Fairness of Announced EGL Inc. Buyout Offer by CEO and Private Equity Partners

NEW ORLEANS, Feb. 28, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it encourages investors to now participate in its ongoing investigation into the fairness and adequacy of the bid for EGL Inc. (Nasdaq: EAGL) by a group led by CEO Jim Crane, and including private-buyout firms Centerbridge Partners LP and Woodbridge Company Ltd.

According to a statement published by Crane earlier today, together with private equity partners Centerbridge Partners and Woodbridge Co., as well as other members of senior management, a proposal to acquire all of the outstanding common stock of EGL at a price of \$36 per share in cash was submitted to EGL's Board of Directors. This proposal provides shareholders with a 5% premium over the closing price of EGL stock on Tuesday, February 27, of \$33.47, but it is well below the \$50.00 trading range in which EGL shares traded during the summer of 2006. EGL provides transportation, supply chain management, and information services in the United States and internationally.

The initial stages of KGS' investigation indicate that the anticipated private equity offer may substantially undervalue the price of EGL shares. Investors are now encouraged to assist in the KGS investigation. Investors with knowledge regarding the undervaluation of the buyout offer, or with knowledge of facts that demonstrate the unfairness of the bidding or evaluation process, are encouraged to contact Lewis Kahn, President, KGS: Investigations Bureau toll free 1-866-467-1400, ext. 100, or by email at lewis.kahn@kgsounsel.com as soon as possible, without obligation or cost to you.

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Source: Kahn Gauthier Swick, LLC

Investor Alert: KGS Announces Investigation Into Fairness of Possible TXU Corp. Buyout Offer by Private Equity Firms

NEW ORLEANS, Feb. 25, 2007 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it encourages investors to now participate in its ongoing investigation into the fairness and adequacy of the anticipated bid for TXU Corp. (NYSE:TXU) by private-buyout firms Kohlberg Kravis Roberts & Co. and Texas Pacific Group.

Recent news reports, quoting anonymous sources, state that TXU's board was meeting over the weekend to consider an offer to purchase the utility company for \$69-\$70 per share -- or at least \$32 billion. TXU is the largest producer of electric power in Texas with some 2.3 million customers.

The initial stages of KGS' investigation indicate that the anticipated private equity offer may substantially undervalue the price of TXU shares. Investors are now encouraged to assist in the KGS investigation. Investors with knowledge regarding the undervaluation of the buyout offer, or with knowledge of facts that demonstrate the unfairness of the bidding or evaluation process, are encouraged to contact KGS, as soon as possible, without obligation or cost to you.

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Source: Kahn Gauthier Swick, LLC

Investor Notice: KGS Announces Investigation on Behalf of Investors in Top Tankers, Inc.

NEW ORLEANS, Nov. 30, 2006 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC announces that it has commenced an investigation into Top Tankers, Inc. ("Top Tankers" or the "Company") (Nasdaq:TOPT) to determine whether it has violated federal securities laws by issuing false and misleading statements to its shareholders.

Today, Top Tankers announced that its auditors, Ernst & Young, resigned as the result of a disagreement over the accounting treatment of portions of the sale and leaseback of 13 vessels that closed in March and April 2006. The Company further announced that it will restate financial reports for the first and second quarters of 2006, reducing earnings by up to 2 cents per share and 9 cents per share for the respective quarters, and will make some balance sheet adjustments for those quarters.

As the result of this news, Top Tankers shares fell 14% today to a low of \$5.04 per share.

If you purchased shares of Top Tankers, you are urged to contact Lewis Kahn, Managing Partner, KGS, toll free 1-866-467-1400, ext. 100, via cell phone at 504-301-7900, or by email at lewis.kahn@kglg.com to learn about your legal rights and KGS' ongoing investigation. For further information on KGS, please visit www.kglg.com.

CONTACT: Kahn Gauthier Swick, LLC
Lewis Kahn, President
(866) 467-1400, ext. 100

Keywords: **LEGAL**

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Source: Kahn Gauthier Swick, LLC

Investigation Launched Into Candela Laser Corp.'s 26 Percent Share Decline Subsequent To Markedly Lower Fourth-Quarter Earnings Report by KGS -- CLZR

NEW ORLEANS, Aug. 23, 2006 (PRIMEZONE) -- Kahn Gauthier Swick, LLC ("KGS") (www.kglg.com), announces that it has commenced an investigation into Candela Corp. (Nasdaq:CLZR) after the Company's announcement that its fiscal fourth-quarter earnings declined 26% from the same period last year. In response to this news, shares of the Wayland, Mass.-based cosmetic and medical laser maker dived 20% on Tuesday to close at \$10.33.

Analysts polled by Thomson First Call had forecast stronger earnings of 23 cents a share on revenue of \$47 million. Instead, Candela reported earnings of only \$41.3 million.

KGS is investigating whether Candela management disclosed materially false information regarding the status of its business operations in order to artificially inflate the Company's share price prior to Tuesday's shocking nosedive. Concurrently, KGS is reviewing trade records to determine whether, and to what extent, Candela officers and directors avoided the effects of this catastrophic decline by liquidating substantial amounts of their privately held Company shares between November, 2005 and February, 2006 upon knowledge not known to the average investor.

If you have knowledge that would assist in the investigation of this action, especially the events within the period November 2005 and August 2006 please e-mail or CALL KGS, as soon as possible, without obligation or cost to you. Contact Lewis Kahn of KGS toll free 1-866-467-1400, ext. 100, via cell phone at 504-301-7900, or by email at lewis.kahn@kglg.com.

More information on this and other class actions can be found on the Class Action Newsline at www.primezone.com/ca.

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Source: Kahn Gauthier Swick, LLC

Lear Corporation Retirement Plan Investigated -- Employees May have Right to Recover Money According to Kahn Gauthier Swick -- LEA

NEW ORLEANS, April 21, 2006 (PRIMEZONE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it is investigating the financial losses suffered by employees and former employees of Lear Corporation (NYSE:LEA) who participated in the company's 401(k) plan under the Employee Retirement Income Security Act of 1974 ("ERISA").

Lear Corporation and its ERISA Plan administrators may have violated the law and breached important duties of trust and prudence owed to Plan participants. Lear employees' 401(k) accounts may have been weighted too heavily with Lear stock. Further, these accounts may have been overly invested in Lear stock during the time Lear shares declined significantly in value, thereby resulting in excessive losses for Lear employees.

If you are a former Lear employee who participated in Lear's 401(k) Account Plan and are interested in protecting the value of your investment, you are encouraged to e-mail or call KGS, without obligation or cost to you. You may contact Lewis Kahn of KGS toll free 1-866-467-1400, ext. 100, via cell phone at 504-301-7900, or by email at lewis.kahn@kglg.com.

KGS has significant experience litigating ERISA actions, and we are paid a fee if and only if we obtain a recovery.

More information on this and other class actions can be found on the Class Action Newsline at www.primezone.com/ca

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 Lewis Kahn
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Keywords: **CLASS ACTION LAWSUITS**

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Source: Kahn Gauthier Swick, LLC

Zale Corporation Retirement Plan Investigated -- Employees May have Right to Recover Money -- ZLC

NEW ORLEANS, April 19, 2006 (PRIMEZONE) -- Kahn Gauthier Swick, LLC ("KGS") announces that it is investigating the financial losses suffered by employees and former employees of Zale Corporation (NYSE: ZLC) who participated in the company's 401(k) plan under the Employee Retirement Income Security Act of 1974 ("ERISA").

Zale Corporation and its ERISA Plan administrators may have violated the law and breached important duties of trust and prudence owed to Plan participants. Zale employees' 401(k) accounts may have been weighted too heavily with Zale stock. Further, these accounts may have been overly invested in Zale stock during the time Zale shares declined significantly in value, thereby resulting in excessive losses for Zale employees.

If you are a former Zale employee who participated in Zale's 401(k) Account Plan and are interested in protecting the value of your investment, you are encouraged to e-mail or call KGS, without obligation or cost to you. You may contact Lewis Kahn of KGS toll free 1-866-467-1400, ext. 100, via cell phone at 504-301-7900, or by email at lewis.kahn@kglg.com.

KGS has significant experience litigating ERISA actions, and we are paid a fee if and only if we obtain a recovery.

More information on this and other class actions can be found on the Class Action Newsline at www.primezone.com/ca.

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Keywords: **CLASS ACTION LAWSUITS**

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Source: Brower Piven, A Professional Association

Brower Piven Announces Investigation of First American Corporation for Company Retirement Plan Participants

BALTIMORE, Nov. 13, 2007 (PRIME NEWSWIRE) -- The law firm of Brower Piven, A Professional Corporation, is investigating possible claims against First American Corporation ("First American" or the "Company") (NYSE:FAF) on behalf of current and former employees who have lost money investing in Company shares in their First American retirement plans. The claims concern whether the Company and/or the administrators of First American retirement plans (including the First American Corporation 401(K) Savings Plan (the "Plan")) misrepresented and/or failed to disclose material facts concerning the Company to the Plan and Plan participants such that including Company shares as one of the choices for investment in the Plan was imprudent and in violation of the Plan administrators' fiduciary duties to Plan participants under the Employee Retirement Income Security Act of 1974.

If you purchased and/or held First American stock through a First American retirement plan and have information pertinent to these issues or would like to learn more about these claims, you may e-mail or call Brower Piven, who will, without obligation or cost to you, attempt to answer your questions. You may contact Brower Piven at The World Trade Center-Baltimore, 401 East Pratt Street, Suite 2525, Baltimore, Maryland 21202, by email at piven@browerpiven.com or by calling 410/332-0030.

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Keywords: **LEGAL**

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[Brower Piven Announces Investigation of Claims Relating to the Acquisition of Cablevision Systems Corp.](#) - Oct 9, 2006

[Brower Piven Announces Investigation of Securities Claims Against Sunterra Corporation -- SNRR](#) - Jul 12, 2006

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[Law Offices Of Charles J. Piven, P.A. Announces Investigation of Ford Motor Co. 401 k Retirement Plans -- F](#) - Jan 30, 2006

[Law Offices Of Charles J. Piven, P.A. Announces Class Action Lawsuit Against Martek Biosciences Corporation -- MATK](#) - May 5, 2005

[Law Offices of Charles J. Piven, P.A. Announces Class Action Lawsuit against BearingPoint, Inc. -- BE](#) - Apr 26, 2005

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Source: Brower Piven, A Professional Association

Brower Piven Announces Investigation of Claims Relating to the Acquisition of Cablevision Systems Corp.

BALTIMORE, Oct. 9, 2006 (PRIMEZONE) -- The law firm of Brower Piven, A Professional Corporation, is investigating possible claims relating to the offer of a group that includes members of the Dolan family to acquire the publicly held shares of Cablevision Systems Corp. ("Company") (NYSE:CVC) and to take the Company private. The claims being investigated relate to whether the price which has been offered is fair and adequate to the public shareholders of the Company and whether the process utilized in proposing and considering this offer comports with the requirements of applicable law.

If you own shares of Cablevision Systems Corp. purchased before October 9, 2006 and continue to own all or some of those shares, and have information about, or would like to learn more about, these possible claims, you may e-mail or call Brower Piven, who will, without obligation, attempt to answer your questions. You may contact Brower Piven at The World Trade Center-Baltimore, 401 East Pratt Street, Suite 2525, Baltimore, Maryland 21202, by e-mail at piven@browerpiven.com or by calling (410) 332-0030.

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Source: Brower Piven, A Professional Association

Brower Piven Announces Investigation of Securities Claims Against Sunterra Corporation -- SNRR

BALTIMORE, July 12, 2006 (PRIMEZONE) -- The law firm of Brower Piven, A Professional Association, is investigating possible claims that Sunterra Corporation ("Company") (Pink Sheets: SNRR) violated federal securities laws by issuing materially false and misleading financial results for the fiscal years ended December 31, 2002 to September 30, 2005 and the first quarter ended December 31, 2005.

If you purchased shares of Sunterra Corporation during the period from April 15, 2003 through June 22, 2006, and would like to learn more about these claims, you may e-mail or call Brower Piven who will, without obligation or cost to you, attempt to answer your questions. You may contact Brower Piven at The World Trade Center-Baltimore, 401 East Pratt Street, Suite 2525, Baltimore, Maryland 21202, by email at piven@browerpiven.com or by calling 410/332-0030.

More information on this and other class actions can be found on the Class Action Newsline at www.primezone.com/ca

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